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FEBRUARY MEETING, 1905.

THE stated meeting was held on Thursday, the 9th instant, at three o'clock, P. M. In the absence of the President, the senior Vice-President presided.

The record of the January meeting was read and approved ; and reports were presented by the Corresponding Secretary and the Librarian. Among the gifts to the Library was the original manuscript Diary of Lieutenant Dudley Bradstreet, of Groton, kept at the Siege of Louisbourg in 1745, given by Miss Sarah C. Kemp, of Brookline. It has been on deposit for the last eight years.

The VICE-PRESIDENT said : —

I wish to call the attention of members to a new portrait of Mr. George Livermore which was hung in this room yesterday. It takes the place of a large photograph, from which it was copied, that came into the possession of the Society at the same time as the gift of the Dowse Library, on July 30, 1856. We are largely indebted to Mr. Livermore for this valuable collection of books and for the furnishings of this room, as well as a handsome fund to be used for the benefit of the Society, for it was solely through him that Mr. Dowse was induced to make his munificent gift. Mr. Livermore was a close student of American history, and in many ways was an indefatigable worker in the interest of the Society and its objects. He was chosen a member on November 22, 1849, and died on August 30, 1865 ; and to the present members he is a tradition and not a memory, there being only four who were connected with the Society at the time of his death.

As a coincidence it may be worthy of record that since the last meeting Mr. Goodspeed, the bookseller, has given me a note written by Mr. Livermore to Mr. Deane, informing him of the death of Mr. Dowse. It was found in a book which presumably belonged to Mr. Deane and was sold with his library. The note reads as follows : —

[November 4, 1856.]

DEAR DEANE, — Our good old friend, Mr. Dowse, is dead. He died soon after I left him this morning. I am going to Cambridge to see about arranging for the funeral.

Y^rs ever, G. L.

[Addressed]

Charles Deane, Esq.,
Waterston, Deane & Co.,
Federal Street,
Boston.

Together with this note was saved a printed notice of the Historical Society, requesting the members to attend the funeral of Mr. Dowse, from his late residence in Cambridgeport, on Thursday, November 6, at 12 o'clock, M.

Colonel WILLIAM R. LIVERMORE spoke in substance as follows: —

Mr. President, — Mr. Livermore's sons feel deeply the kind compliment that the Society has paid to his memory by placing his portrait here in its halls, which were the nearest to his heart of all those centres around which the galaxy of illustrious and earnest men of his day had their assemblies. He loved its rooms, not only for the sympathy he felt with its individual members, but because he recognized that it was around such foci that all great movements in the history of civilization took their origin.

The men who clustered here have been compared with those who attended the receptions of Aspasia, and Mr. Livermore believed that its hundred members became a hundred times a hundred working men in virtue of this Society. The spark that was lighted at this hearth and is still burning warmly if not ostentatiously has spread from one end of the country to the other, and its influence is now felt in every corner of the earth.

Mr. Livermore especially encouraged the social meetings of the Society, because he believed that it was at the discussions which followed the reading of the papers that suggestions were thrown out which led to the propagation of ideas, — that it was this intercourse which enabled each member to take up the work where another left it and help him to prosecute it. But it was especially the formation of high standards that made

these societies so interesting to Mr. Livermore. He tried to imbibe those traits of character which he admired in the older members, and his gentle influence helped to inspire the younger members of the Society with his views of life.

But behind all this gentle influence those who knew him well, recognized the indomitable will which enabled him to hold up his high standard to his friends whenever he thought they were too much absorbed in literature or in the rude bustle of political life. He believed that the mission and duty of New England was not only to enlighten America and make it respected abroad, but especially to create and infuse into it a high national character for integrity and for a broad and universal interest in humanity, to uphold it against the slavery of the South and the commercialism of the North,—such principles as those that we have seen so boldly advocated by our lamented Senator Hoar.

While Mr. Livermore never wished to hold a political office, it is hard to estimate the extent of his influence when the representatives of all the old parties met at his house fifty years ago and discussed the formation of the new party. Throughout the Civil War his influence tended to calm the fury of some and to stimulate the political activity of others, and when the end came his own soon followed, mainly from the nervous strain which reached its climax when the assassination of President Lincoln threatened to throw the country into another great convulsion.

Mr. Livermore was a merchant because he believed that it was the first duty of the American citizen to contribute in some way to the commercial fabric on which the nation was founded. But he regarded trade as the means and not the end, still less as the master. He took for his model William Roscoe, of Liverpool, a man with whom literature was the end and commerce the means. It would be a pleasure to him to know that the Society has placed his picture by the side of Roscoe's bust and those of his good friends, Winthrop the distinguished President of the Society, the tender, sympathetic and brilliant Prescott, and the eloquent and classical Everett.

It would be out of place for me now to refer to my father's work. It has been described by his eminent associates at former meetings, and I would not trust myself to speak of it

for fear that my estimate might be colored by that love and devotion which he inspired in his children.

While renewing my thanks to the Society, I wish to express my appreciation of the patience and genius of the artist, Mr. Carroll Beckwith, who from photographs and descriptions has been so successful in representing his subject as he would appear at the meetings of this Society.

I said that Mr. Livermore believed that social meetings were essential to the good work of the Society. He was willing to avail himself of any proper means to encourage them. In June, 1856, it was the odor and the new-made reputation of the Cambridge strawberry. This was the first meeting of the Society I had the honor of attending, although then (in 1856) I was not a Resident Member. Dr. Deane, in his remarks at the meeting of the Society following my father's death, says that it was the account of this meeting, and of the men who were present there, that suggested to Mr. Dowse the idea of offering his library to the Society, and I wish to take this opportunity to express my gratitude to Mr. Dowse for his generosity, which has suggested to this Society the placing of this portrait of my father in the spot where of all others he would prefer to have it.

M. Ernest Lavisse, of Paris, France, was elected an Honorary Member; Mr. Don Gleason Hill, of Dedham, a Resident Member; and James Schouler, LL.D., of Intervale, New Hampshire, a Corresponding Member.

Rev. Dr. EDMUND F. SLAFTER read the following paper:—

The Book of Sports.

After a careful examination of the principal histories of England and the histories of the Church of England, I find no accurate, exact, and complete statement of what really constitutes the Book of Sports.

It will be my purpose in this paper to give a description, as clear, definite, and comprehensive as I am able, of this somewhat remarkable publication.

In the year 1617 James I. made a visit to his native Scotland. A Royal Progress at that time was attended with no little circumstance. The king was accompanied by a brilliant and imposing cavalcade. The people were gathered in masses at

different points to catch a glimpse of their sovereign. Sometimes petitions were presented asking for special favors or for redress of wrongs. On this occasion the laboring class, those who worked for their daily bread, petitioned the king, as he passed through Lancashire, to grant them liberty for recreation on Sundays. Anterior to this, in the reigns of Elizabeth, Mary, Edward VI., Henry VIII., and earlier, recreations and entertainments on Sunday were common and general throughout the kingdom. The Reformation, which had then been in progress in England not far from eighty years, brought a change of sentiment and practice. The thoughts of men under its influence were given less to outward forms and ceremonies and more to self-inspection and the workings of the mind, the conscience, and the heart. "Know thou thyself" might properly be said to be the motto of the English Protestant. This introversion doubtless sometimes led them into errors and excesses. They modelled their conduct and educated their consciences with extraordinary strictness after the principles of the Jewish theocracy as delineated in the Old Testament. There had consequently grown up, in the time of James I., a party in the Church of England called Puritans; they were sometimes denominated Precisionists. They adopted a standard for their conduct which they regarded as absolutely faultless, and they demanded that all others should conform to it to the very letter. They were austere and intensely intolerant, approaching even to bigotry. They had, nevertheless, many shining virtues. They were devout, warm-hearted, sincere, spiritually minded, and in fact constituted the most distinctly religious class at that time in the Church of England. They had become numerous and influential, and consequently the administration of local affairs was almost entirely under their influence and control.

They especially insisted that the Lord's Day, commonly called Sunday, should be observed absolutely according to the letter of the fourth commandment in the Jewish decalogue. Sheriffs, bailiffs, and justices were eager to arraign delinquents, and infractions of the Mosaic law were sought out and promptly punished.

In answer to the petition of the common people, to which we have referred, the class who earned their bread by labor six days in the week and had no opportunity for recreation,

James I. issued a temporary proclamation to the petitioners in Lancashire, and the next year he issued to all his subjects throughout the kingdom what he called a "Declaration" granting to them under specified conditions the privilege of engaging in certain games of recreation and entertainment on Sunday.¹

The class of games or sports thus allowed was limited, and none of them could be engaged in on that day unless they were similar in character to six distinctly named by the king.

The first mentioned in the royal manifesto was Dancing, in which both men and women participated. It was a very simple entertainment, in which the movements of the body were determined by precise and exact rules, and was generally accompanied and regulated by some kind of music, and was therefore necessarily conducted with decorum. The possible accessories in the entertainment were almost infinite. On great occasions, in royal palaces and baronial halls, clad in sumptuous dresses, of rare fabrics, in brilliant coloring, none could engage in England, except those who belonged to the opulent class, and who could well bear the excessive expense of a gaudy, spectacular entertainment. But the proclamation of James I. was intended exclusively for the laboring class. The dance allowed by the proclamation was therefore of the simplest kind, and the plain folk engaged in it in their usual Sunday apparel, requiring neither adornment nor extra expense.

The second Sunday entertainment allowed by the proclamation was Archery. This was practised under two forms, the long bow and the cross-bow. The former consisted of a rod of elastic wood carefully and delicately bent in a slight degree, with a cord attached at each end. This the archer drew back, and by the force of the return of the elastic rod the arrow was driven with great force, and by the skilful with great accuracy. The experienced archer generally aspired to the use of the long bow, as it bore testimony more distinctly to his superior attainment in the art. The cross-

¹ *Vide* The Kings' Majesties Declaration to his Subjects concerning Lawful Sports to be Used. Imprinted at London by Robert Barker, Printer to the King's most Excellent Majesty; and by the Assigns of John Bill, MDCXXXIII.

This is called a "Book." But it is far from a bulky one. It consists of less than three pages of the size of our Proceedings.

bow was less difficult in its use. The elastic rod was attached to a stock which controlled largely the direction of the arrow. It is supposed by some to have been the antitype or forerunner of our modern musket. Its use required very little strength, and a less degree of skill and experience than the long bow. Both were doubtless used in the Sunday games.

The third specification in the king's proclamation was Leaping and Vaulting. These were simple competitive exercises. The winner in the former made the greatest distance on a horizontal line, the latter the greatest altitude without regard to distance. This diversion, at once simple and attractive, has apparently been common at all times, among all classes of people, primitive or modern, civilized or savage.

The fourth entertainment allowed on Sunday was May Games. These were such diversions as were common on the first day of May.¹ This day in England, from a very early period, was set apart and made a popular and entertaining festival. It was emphatically the people's day. The young men and the young women went together to the forest, and selected a May-pole which was brought home with imposing ceremony and planted in a suitable place chosen for the purpose. It was profusely decorated with garlands of wild-flowers and green boughs, and a flag covered over with royal emblems was usually seen floating from the top. An old writer informs us that this May-pole "being placed in a convenient part of the village stands there, as it were consecrated to the Goddess of Flowers, without the least violation being offered to it in the whole circle of the year." Around this May-pole the common people were permitted by the royal proclamation to engage on Sunday in dances or such other amusements as were usual on the May-day festival.

The next privilege granted by the proclamation was the use of Whitsun Ales. This was one of the Church ales of three hundred years ago. It was customary at that period, more or less generally, for the churchwardens to have brewed a generous quantity of ale, to be sold at the Whitsun

¹ "In the month of May, the citizens of London of all estates lightly in every parish or sometimes in two or three parishes joining together, had their several mayings, and did fetch in Maypoles, with divers warlike shows, with good archers, morris dancers, and other devices, for pastime all the day long, and toward evening they had stage plays and bonfires in the Streets." *Vide Stow's Survey of London*, 1598, ed. 1842, p. 33.

festivals, which took place on the week following Whitsunday. The income derived from these sales was appropriated to the support and repairs of the church. It was not unlike, in principle, to the church fairs or sales organized and conducted by ladies in many of our parishes at the present day.

The last entertainment on Sunday granted by the king was the Morris Dance. This, as the name implies, was a Moorish dance, the word Morris being derived from Morisco, signifying a Moor. It was performed by a single person, and usually accompanied by castanets with which the dancer marked the time. It was a favorite entertainment among the Moors and Spaniards, and in the seventeenth century was exceedingly popular in England.

It will be observed that the foregoing games or sports allowed on Sunday were all of them athletic in their character, and were well suited to develop physical energy and muscular strength; and the king himself in his proclamation expresses the belief that these exercises would make the bodies of the common people "more able for war" whenever he or his successors should have occasion to use them.

In addition to these athletic games the proclamation provided that women should be permitted on Sunday to decorate the churches with rushes, agreeably to their ancient custom.¹

It was the practice in England, long before the Church was severed from the dominion of Rome by Henry VIII., to decorate the churches on Sundays with rushes, and probably with such green boughs and flowers as could be obtained in the immediate neighborhood. Harmless, innocent, and appropriate as this custom was, the Puritans in the Church of England did not give it their approbation. They associated with it a secular and worldly element unsuited to the sobriety and solemnity of a place of Christian worship. The restoration

¹ The exact words of the Declaration are that "women have Leave to carry Rushes to Church for the decorating of it according to their old custom."

It was customary formerly to "strew floors with rushes," perhaps for ornament or cleanliness. This was probably what the women were permitted to do for the decoration of churches on Sunday. There was a great variety of rushes. The *Butomus umbellatus* bears an umbel of rosy blossoms. From this may have come the now almost universal custom of decorating churches with flowers on Sundays. In New England the custom is modern. The writer well remembers when it was rare and was looked upon by some with disapprobation.

of this practice cannot be regarded as a mark of the king's want of good taste.

The preceding enumeration includes the games or entertainments which were permitted on Sunday, but four others were designated in the proclamation which were strictly and absolutely forbidden.

The first two, Bear baiting and Bull baiting, were similar in character. Both had been popular in England as early as the reign of Henry II., and had been practised down through that of Henry VIII., Edward VI., Mary, Elizabeth, James,¹ and in fact continued to the time of Queen Anne. Cruelty of a brutal character was the leading feature of these exhibitions. The harmless animals were first chained and securely fastened, and then English bull-dogs, bred and trained for the purpose, were set upon them, and large assemblies of men and women in the time of James I. took apparent pleasure in witnessing the bloody and revolting encounters. But this brutality was destined to disappear under a higher state of Christian civilization, and these exhibitions came at length to be attended only by the lowest and most degraded class of people, and finally were wholly set aside and abandoned. This discreditable and abhorrent spectacle under some changes of method may still be witnessed in all its essential characteristics in Spain and in the southern portion of the American continent, where the Spanish race is predominant.

Interludes were also disallowed by the proclamation. They were farcical and secular plays, performed by strolling minstrels and jesters, and were obviously unsuited in the king's estimation for the sobriety of the Lord's Day.

The fourth and last entertainment specially debarred by the proclamation was Bowling. This was a pastime early and long popular in England.² It was practised on a level plot of grassy ground, denominated the Bowling Green. A small bowl or jack was placed at a given distance, and the winner displaced it, or laid his bowl nearer to it than any other players. The details were doubtless different at different periods. The bowls were biased, one side being made heavier than the

¹ John Stow, in his *Survey of London*, 1603, says, "As for the baiting of bulls and bears they are to this day much frequented." *Vide* ed. 1842, p. 36.

² For valuable information on the sports common in England at this time, *vide* *Sports and Pastimes of the People of England*, by Joseph Strutt.

other. As it was necessary to allow for the irregular movement of the bowl, on account of the centre of the weight not being identical with the centre of the bowl, great skill and long experience were required in the successful bowler. This uncertainty offered a temptation for betting and gambling, and naturally called together, in the process of time, a dissolute and profligate class of persons, and the game itself was brought into deserved disrepute.

Not only were certain entertainments forbidden and entirely excluded, but there were numerous and important limitations and conditions imposed by the king's proclamation.

First, the sports were to take place at such hours on Sunday as should not interfere with, or be an impediment to divine service.

Second, they were to occur only at the end of all the church services of the day in each parish.

Third, no person was allowed to take part in these Sunday entertainments who had not attended the service of the church the same day in the parish to which he belonged or within whose limits he resided.

Fourth, no one was permitted to wear or carry any offensive weapons at these entertainments.

Fifth, the officers of the law were strictly enjoined to bring to punishment all persons who ventured to abuse in any way the liberty granted by the proclamation.

With these limitations and conditions the king anticipated that some important advantages would flow from his proclamation. He expected that the common people would be encouraged to become Protestants,¹ and that they would no longer be tempted to frequent alehouses and tippling-saloons on Sundays, and that they would be effectually preserved against the demoralizing influence of such resorts.

We can hardly fail, I think, to obtain from the foregoing narrative a clear and distinct idea of what constitutes the Book of Sports. The conditions and limitations contained in it were so exacting that it is obvious that these Sunday exercises, if the Royal directions were observed, were neces-

¹ "In Lancashire the Romanists made advantage of this strictness to pervert many to popery, persuading them, that the protestant religion was the school of Tyrannus, where no lawful liberty was allowed." *Vide Church History of Britain*, by Thomas Fuller, vol. iii. p. 274, 3d ed.

sarily performed with a certain degree of dignity and propriety, and that they did not in any way interrupt or disturb the public peace.

It is obvious, I think, that James I., conceited, vain of his learning, pragmatical, and often unreasonable, nevertheless in this case intended to make his Declaration satisfactory to all parties.

The moral question involved in these Sunday sports was, of course, what chiefly occupied the public attention. The discussion, however, of their ethical bearing does not fall within the scope of my present purpose. The subject belongs to theology rather than to history, and has been amply treated by able and erudite writers in many bulky volumes.¹

Order was given that the Declaration of the king be published in all the parishes throughout the realm, and the clergy were directed to read it in their several churches. It is hardly necessary to add that it met with serious and determined opposition. The Archbishop of Canterbury forbade the reading of it in the parish church at Croydon, where he chanced to be when the order was received. His opposition to the Sunday sports doubtless modified and shaped the views of many of the clergy. The reading of the Declaration or the Book of Sports to their congregations, as required by the royal command, was especially distasteful and repulsive to those who favored a strict religious observance of the Lord's Day.² The objections offered were reasonable and conclusive, and the king found it good policy, under the circumstances, not to force the reading of his proclamation, and it was apparently not read to any great extent during the administration of Archbishop Abbot, which was terminated by his death, on August 4, 1633. Two days afterward William Laud, then Bishop of London, was elevated by Charles I. to the office of Archbishop of Canterbury.

He was a man of a different mould from his wiser and more discreet predecessor. He had a hard nature, into which ten-

¹ *Vide* a summary on this subject in Church History of Britain, by Thomas Fuller, vol. iii. pp. 373-375. Likewise *vide* History of the Church of England by the Rev. George G. Perry, vol. i. p. 260.

² "Many moderate men are of opinion, that this abuse of the Lord's day was a principal procurer of God's anger, since poured-out on this land in a long and bloody civil war." *Vide* Church History of Britain, by Thomas Fuller, vol. iii. p. 378, 3d ed.

derness never entered. He took pleasure in the sufferings of the criminal, and to him no punishment ever seemed too severe.¹ He was a man of learning, of great ability, of extraordinary energy of purpose, highly conscientious, and in some ways advanced the interests of the Church of England, to which he was thoroughly loyal.

But nevertheless he was inconsiderate, irascible, narrow-minded, and despotic, and meddled too freely with political affairs which were outside and beyond the domain of his official duties.

His methods were heroic. He made haste in his high office. In less than three months he had not only adjusted himself to his responsible duties, but had found time to persuade the king to renew the privilege of Sunday sports. On October 18, 1633, the Declaration of James was ratified by Charles I., with the addition of the Feasts of the Dedication of Churches.² Order was at once given by Archbishop Laud to all the bishops that the king's proclamation or Book of Sports be read in all the parish churches throughout the kingdom. Provision was made that the order be strictly enforced.³ By no subterfuge could it be evaded. The churchwardens of each parish were required to make oath that it had been read in their church, and the minister or incumbent was also required to certify in writing to the same effect.

It is not easy to determine to what extent the order to read the Book of Sports in the parish churches was carried out. It is highly probable that the order was generally obeyed. The clergy who complied, retained their places and stipends; those who refused, for the most part lost their office and their living.

¹ "In the Star Chamber . . . he was observed always to concur with the severest side and to infuse more vinegar than oil into his censures." *Vide Church History of Britain*, by Thomas Fuller, vol. iii. p. 472 *et passim*. For a complete view of the character of Archbishop Laud, *vide* likewise "Appeal of Injured Innocence," by the same, London, 1840, p. 641 *et passim*.

² "This declaration . . . was not well received and gave to the people a further disgust at the administration; and some of the clergy who scrupled the reading of it in their churches were suspended by their ordinaries, and prosecuted in the High Commission." *Collier's Ecclesiastical History*, vol. viii. p. 77, ed. London, 1841.

³ Whoever has carefully read the preceding narrative will probably accept neither the opinion of the Puritan with his Mosaic Sunday, nor that of Archbishop Laud with his Sunday sports. The true course doubtless lies somewhere between the two. *Medio tutissimus ibis* is often as sound in morals as it is safe amid the rocks and whirlpools of a dangerous sea.

The reading to many was distasteful and repulsive; but it was not a crime, and doubtless some of them chose the lesser of the two evils.

The Revolution in England which terminated in the overthrow of the government was now in actual progress. The royal cause was daily losing ground. The Parliament had already come into absolute control. The Archbishop of Canterbury had made himself exceedingly unpopular.¹ His aggressive disposition and measures, his support of the king's unlimited prerogative, and his unwonted claims in his own office had become intolerable. The Parliament apparently thought it time to put an extinguisher upon the zeal and activity of both the archbishop and the king touching Sunday sports, and to bring this troublesome matter to a speedy determination.

Accordingly, on the fifth day of May, 1643, an order came forth from the Parliament in the following words:—

*“ That the Book for tolerating of Sports on the Lord's day be burnt by the common Hangman; and that the Sheriff of London assist in executing this order, to whom, all, who have any of them, are to deliver them.”*²

Henceforth English history on this subject is necessarily silent. The story has been told, and a bonfire in the streets of London completed the eventful and melancholy history of the Book of Sports.³

For twenty-five years it had been a source of irritation and discomfort to many, and had yielded to few either pleasure or satisfaction.

G. STANLEY HALL, LL.D., read a paper on the Negro Question as follows:—

*A Few Results of Recent Scientific Study of the Negro
in America.*

Shaler estimates that about half a million Africans have been imported into this country. No other race ever came here without its own consent. Slavery always involves more

¹ His unpopularity was marked by numerous anonymous letters, and abusive censures posted on or near his residence. *Vide* Laud's Diary.

² *Vide* Rushworth's Historical Collections, ed. 1708, vol. v. p. 107.

³ There was no fixed locality in London for burning obnoxious books, but it often took place in Cheapside and in Smithfield. Great numbers were at different times subject to this fate. Eleven or twelve hundred objectionable books of devotion were seized and publicly burnt by order of Archbishop Laud in Smithfield in 1637.

or less artificial selection. Those chosen in Africa were usually the best available. Slave traders not only rejected the deformed, old, sick, weakly, but often took great pains to select in both sexes those who were young, large, handsome, and vigorous. In Felt's "Salem" (quoted by George H. Moore in his "Notes on the History of Slavery in Massachusetts," 1866) elaborate instructions are given to the captain of a slave craft bound to Africa to bring home a slave cargo, directing him to select strong and young persons, whether they were captured or bought with rum, and enjoining great care of their health on the homeward voyage. This selection of the best, which Dr. Thomson estimates has within Christian centuries robbed Africa of twenty million of the flower of its youth, has contributed, as Lecky thinks the celibacy of the best did in the early Christian centuries to the dark ages, to check the indigenous development of Africa. It has also helped to make the average Southern pure-blood negro distinctly above his ethnic congeners in the Dark Continent in stature and vigor if not in intelligence. Although the pure-blooded negroes of all tribes are unusually homogeneous, and show general uniformity in the sharpness and definiteness of their ethnic type over most of equatorial Africa (chiefs differing comparatively little from the slaves there), the Southern negro, nevertheless, owes much to this selection. This or the regimen of slavery, or both, have given him on the whole greater weight and muscular development and increased regularity in eating, sleeping, and exercise. Slavery, at any rate, found the negro a savage and left him a trained laborer, and, as was for the interests of the master, in good physical condition.

One of the best evidences of this is found in the statistics of fecundity before and since emancipation. Between 1800 and 1900 the colored population of this country increased from 1,002,000 to 8,840,000, or well-nigh nine-fold. This increase was chiefly indigenous, because the slave trade ended in 1808. At this rate of increase, in the year 2000 A. D. the negroes will number nearly seventy-five million, or, on a different basis, according to Patterson's figures, in 1960 they will number forty-three million, or will equal the total white population of the country in 1880. Their rate of increase suffered marked diminution during the war, but is now slowly approaching the

rate (probably the greatest the race has ever seen) which it had during slavery. Reproductivity is still greater than these figures would indicate; for in those States and cities where statistics of death are available (for instance in Louisiana) the mortality of the negro is greater than that of the whites at every age and greatest of all under five. This is due in part to early marriages and to loose sex relations. Few races, save the Celts, Russians, and Jews, are multiplying so fast. Their increase is markedly in excess of that of the Southern whites, which is high, and still greater than that of the Northern native whites, and greater than the increase of our total population exclusive of immigration. A race that can double three times in a century has a future. The negro's fecundity in the South is distinctly greater than in the North, he is more fertile in the country in the South than in its cities, and it is just here that he follows the great racial law of migrations, namely, of gravitating toward those territories where he multiplies fastest. So, conversely, negroes are attracted least toward those sections of the country where their rate of increase is least. As all schemes of deportation are more and more recognized as impracticable, the problems of this race here for an indefinitely long period are likely to grow every year in complexity and in practical importance. This increase, it must be borne in mind, is despite the very high mortality rates, and every change that decreases this means a more rapid increase in the colored population; this increase, not only absolutely but relatively, is sure to be far greater in the warm South, where the negro is at home, than in the North.

In history no two races, taken as a whole, differ so much in their traits, both physical and psychic, as the Caucasian and the African. The color of the skin and the crookedness of the hair are only the outward signs of many far deeper differences, including cranial and thoracic capacity, proportions of body, nervous system, glands and secretions, *vita sexualis*, food, temperament, disposition, character, longevity, instincts, customs, emotional traits, and diseases. All these differences, as they are coming to be better understood, are seen to be so great as to qualify if not imperil every inference from one race to another, whether theoretical or practical, so that what is true and good for one is often false and bad for the other. Many of these differences were naturally far better understood

by both races in the days of slavery and in the South than ever in the North or anywhere now; the emancipation destroyed much of the interest of slave owners in their chattels, so that intimate knowledge of the blacks by the whites in the South has in many respects steadily declined since the war. This is a faint biological analogue of what would occur if the best breeds of cattle should break up their domestication and return to the feral state; for then man's knowledge of the laws of their breeding and care would lapse, as natural selection assumed the place of artificial. On the other hand, during this period a new scientific study of the negro has arisen, and is fast developing established results which are slowly placing the problems of the future of this race upon a more solid and intelligent basis, and which seem destined sooner or later to condition philanthropy and legislation, make sentiment more intelligent, and take the problem out of the hands of politicians, sentimentalists, or theorists, and place it where it belongs,—with economists, anthropologists, and sociologists.

To select the single question of health from many of the racial differences above enumerated, we find, in compiling many medical studies of the blacks, that their diseases are very different from ours. Their liability to consumption is estimated at from one and a half to three and a half times that of the whites. This is only partly due to their transportation from equatorial Africa, because there they are peculiarly prone to tuberculosis, and measurements show less average lung capacity than is found in the whites. Very striking is their immunity from malaria and yellow fever, which shows a different composition of the blood and which enables them to work in so many places where the whites cannot. They have extraordinary power to survive both wounds and grave surgical operations, with less liability during convalescence to reactions of fever and other complications. There is less suppuration, better and quite different granulation and scarification. Their lymphatic glands are more developed and more effective in filtering out bacteria, so that to most infections they are more antiseptic; and the specific energy of their serum, bile, and phagocytes against toxins is different from that of whites. Cancer, especially of the worst or carcinomous kind, is very rare, as are varicocele, enlarged pro-

state, stone in gall and bladder, and ovarian tumor. They are far more exempt from congenital deformities, whether those due to arrest or perverted growth, so that humpback, club foot, harelip, spina bifida, are unusual. There is more syphilis, but it less often results in tabes; more passion for alcohol and more consequent congestion of the liver, but less pure alcoholism. There is less insanity, mental defect oftener takes the form of idiocy, and all acute psychoses like mania issue sooner in imbecility. Epilepsy is far more common, and is connected with their general erethism. They are naturally cheerful, and so very rarely suffer from melancholia or commit suicide. The strange sleeping sickness they have practically all to themselves. Tetanus is common, chorea rare. General paralysis or softening of the brain, said never to have occurred in slavery although now sometimes found, usually lacks, when it does occur, the characteristic stage of delusions of greatness, perhaps owing to their humble position. Many eye troubles are infrequent, and various other differences have been noted. Now these distinctions involve profound diversities of constitution and diathesis. All their diseases have a different prognosis and require modifications of treatment, so that the training of physicians for the two races needs differentiation. Immune to many conditions morbid for Caucasians, they are very susceptible to others harmless for whites. In tropical Africa men and women are extremely fond of bathing, which their very active skin needs; but this disposition decreases almost exactly as clothing increases, and as the negro goes North is often changed into exceptional aversion to the bath which is suggestive for cooks and nurses. Of course mixture of blood with the whites brings approximation to the pathological conditions of the latter. Many of these differences are so radical that a Southern physician has said in substance, perhaps somewhat extremely, that a successful experience in treating one race impaired a physician's usefulness with the other, and made two hygies and two regimens necessary, — as different as the application of veterinary medicine for horses is from that applied to oxen.

The chief event in the history of the Southern negro in the new world is the infiltration of white blood. But for this the negro in mind and body would be so distinct from us that all our problems connected with the race would be vastly simpli-

fied. Just how far he has lost his rare racial homogeneity here, it is impossible to tell. The extreme minimal estimate that I have found is that one-tenth have some white blood, and one maximal estimate is that two-thirds are partly white. Page thinks that from one-ninth to one-sixth are mixed. Du Bois says that two million negroes here have some white blood. Most estimates range somewhere between one-fifth and one-half. The diversity in the estimates of this proportion shows the difficulties that beset this study. Indeed, this question has itself become a part of the race problem; negroes and their friends always making the proportion large, and Southern whites regarding it as small. The negro himself has an hereditary disregard for heredity and keeps no pedigrees. Where crosses with white blood occur they are, of course, extramarital, and the mulatto's sentiments upon this subject are a strange mixture of pride and shame, while his or her white father has yet stronger motives for concealment. Thus cousins of different racial complexion and even half brothers and sisters sometimes go through life without suspecting their relationship. Scientific investigation here is usually highly resented. Many blacks and even whites hold that pale skins are sometimes produced spontaneously from black parents, — which is, of course, impossible, negro albinos being very rare. Moreover, the grade of pigmentation is not a sure index of the degree of miscegenation, and in the veins of some thought purely African probably flows at least a little of the best white blood of the land. The most serious aspect of the negro question, thus, is found in the fact that the most important portion of the race, whatever its size, inherits more or less of the best Anglo-Saxon cavalier blood, brain, and temper. Thus all the vast psycho-physic differences between the two races are bridged, and they possibly fuse with each other by all imperceptible gradations. We know too little of the laws of heredity to evaluate the profit and loss of this blood mixture. It has certainly given us some of the leaders of their race in this country; and when we think of the Dumases, Pushkin, and many others, we see that it certainly can produce an occasional genius. There is much reason to think that mixture has played an important rôle in history, and that most of the great races are the result of the commingling of different ethnic stocks. Not a few (like, for instance, the Scotch-Irish) have been superior

to either parent stirp. Some have held, from a study of miscegenation in other lands, that sons oftener inherit from their mother and daughters from their father. If this be so, it follows that here, where the crossing is practically all of white fathers and dark mothers, the daughters would be more Caucasian than the sons. At any rate, men like Fred Douglas, Bishop Payne, Booker Washington, Du Bois, Chesnut, Tanner, Dunbar, Thomas, and scores of others, are not typical negroes. Says H. S. Dickerman, "There are full-blooded negroes of ability, but a very large proportion of those one sees in places of responsibility and honor among negroes are of mixed race. It is so with teachers, ministers, and physicians. In many of the most celebrated schools a large part of the pupils are very light, and in the cities one finds congregations in some of the more aristocratic churches in which nearly all are mulattoes."

Whatever the biological laws may be, they are, however, here obscured and rendered ineffective by social prejudice which draws a color line and ostracizes not only quadroons and octoroons, but those with one-sixteenth, one thirty-second, and, Booker Washington says, one one-hundredth negro blood, even though it be so attenuated as to leave no sign discernible save by scrutiny of hair, nails, etc., and condemns mulattoes of whatever degree to association with those whose pure Hamitic blood has known no dash or strain of white. It is this that has intensified racial solidarity and helps to make every question in the South tend to become a race question, and often now divides Southern towns and cities by a color line so drawn that instead of the best whites seeing most of the best mulattoes, the former prefer contact with the pure blacks, and race friction is between the lower whites and the mulattoes. Whether the mulattoes are better or worse than either parent race, prejudice, not only in our own, but in every land where the races coexist, has made it impossible to tell. While there are some pure Africans born with gifts far above the average of their race, most of its leaders are those who have by heredity, association, or both, derived most from the whites. It is their aspirations, discontent, struggles, ending often in discouragement, which makes them either sink to vice or grow revengeful and desperate, that constitute the pathos of the present condition, and make it hardest for the

men to preserve their hope and just ambition, and for the women to keep their virtue in the presence of the whites. A recent writer says, "Ninety-nine per cent of the whites regard all with any negro blood as about alike." It is idle to censure a state of things universal where a higher and lower race come into close contact; but when the South boasts of its magnanimity in aiding negro education or threatens to withdraw support and sympathy, leaving colored schools to be sustained by negro taxation alone, then, and then only, this consideration may be allowed to be not impertinent, and we may even recall Plato, who would have all parents abandon their children in tender years to the care of the state in order that the parental instinct and responsibility might be diffused and all fathers and mothers regard every child they met of similar age as perhaps their own.

Another racial trait of the negro is found in the sphere of sexual development. Special studies show that the negro child up to about twelve is quite as bright as the white child; but when this instinct develops it is earlier, more sudden, and far more likely permanently to retard mental and moral growth, than in the white, who shoots ahead. Thus the virtues and defects of the negro through life remain largely those of puberty. Hence his diathesis, both psychic and physical, is erethic, volatile, changeable, prone to trancoidal, intensely emotional, and even epileptoid states. W. H. Thomas, himself a negro, in his book entitled "The American Negro," says, "The chief and overpowering element in his make-up is an imperious sexual impulse, which, aroused at the slightest incentive, sweeps aside all restraint." This he deems the chief cause of the arrest of the higher development of this tropical race. During slavery regular hard work, temperance, awe of his white master, were potent restraints, and he was often a faithful guardian of the unprotected women of the household, whose head was in the army. Now idleness, drink, and a new sense of equality have destroyed these restraints of imperious lust, which in some cases is reinforced by the thought of generations of abuse of his own women by white men upon whom he would turn the tables. At any rate, the number, boldness, and barbarity of the rapists, and the frequency of the murder of their victims have increased, till whites in many parts of the South have told me that no woman of their race is

safe anywhere alone day or night. Of the 3,008 lynchings in this country during the twenty years ending with the close of 1904, a clear majority are connected with murder or with this crime so often associated with it; although Governor Vardeman's statistics for Louisiana showed that of over three hundred murders in that State in 1903, the great majority were of negroes by negroes, and the most common cause was quarrels arising over the game of crap. There has also been a gradual increase in the barbarity of this punishment for rape, slightly known before the war. The brutality of these assaults is often such that the most staid communities and heads of families, who have strongly and publicly denounced lynching, find themselves swept away in a frenzy of vengeance. When such a crime comes home to one's own wife, daughter, or mother, none of us know what we should do. As a preventative of crime, lynching has something to be said for it, but more to be said against it. This wild justice is brutalizing upon those who inflict it, who are usually young men and boys. Some drastic cures have been suggested, — a drumhead court-martial with immediate execution of the guilty, emasculation, instant trial, and abolishment of appeal, and even the legalization of burning at the stake. These suggestions show at least how desperate is the resolution in the white South that this crime must be checked at whatever cost. One typical aggravation of the evil is illustrated in a certain Southern district known to the writer, where the youngest and most briefless and inexperienced lawyer is by an old custom elected prosecuting attorney. He can receive five dollars for trying each case. His inexperience naturally often causes errors that give ground for appeals and delays. The chief need is that the leading negroes should speak out more strongly against this crime than they do, and no longer give cause to writers like Mr. Page to insist that the race as a whole covertly sympathizes a little with every black victim of a mob, no matter how atrocious his crime, and perhaps with every black criminal. They should feel their own responsibility, and co-operate with the law in enforcing justice and teaching their race not to palliate crime or even shield criminal members of it. The negro's sense of the enormity of the crime of ravishing does certainly seem to differ somewhat from that of the whites. If negroes were listed and all the vagrants kept track of, as in Germany,

if officers had power to summon posses, or if sheriffs gave bonds to be forfeited if they lost their prisoner, or negro officers were given interest in the punishment of criminals of their own race, some help might be found. In a paper of this kind of course only a very few of the points involved can be touched on.¹

After the war the majority at the North sanctioned the policy of giving the negro the ballot, which Lincoln disapproved and which had been persistently refused him in many Northern States. It was given, if not as a penalizing measure to those lately in rebellion, at least as a weapon to safeguard the freedom of these new wards of the nation. Then followed the eight years beginning with 1867, so tragic for the South,—involving enormous waste and confusion, an indebtedness equalling the entire cost of the war plus the value of the slaves as property, negroizing more or less one-third of the States of the Union until they seemed to be on the downward path toward conditions like those of Hayti, San Domingo, or Porto Rico. Whatever allegiance and friendship the negroes had felt for their old masters was transferred to their new Northern allies. For myself, an abolitionist both by conviction and descent, I wish to confess my error of opinion in those days; and I believe that all candid minds who, in Kelley Miller's trenchant phrase, study rather than discuss the problem, and are not too old to learn, are ready to confess mistakes. Even the Freedman's Bureau helped make the colored man at the South feel dependent upon the North rather than upon his own efforts. Much as the new South has done to outgrow these evils, perhaps the worst effect of all these years is now seen in the fact that Southern negroes are a solidified party arrayed against their old masters on all questions, and cannot divide freely among themselves even on local and economic problems, or follow their own interests, but the party and color line still coincide.

Before the war the negro was often a skilled laborer. Nearly all the agriculture of the South and most occupations pertaining to food, clothing, and shelter were in his hands. The old plantation was an industrial school, not entirely without analogies to the old New England farm which has

¹ See the Atlanta studies.

trained so many of its best citizens. When freedom came it was naturally interpreted as freedom not to work, and so came the *au rebours* days of misery where so many Southern novelists and essayists are finding rich fields for literary exploitation.

At this point of Southern despair came one of those masterly pieces of statecraft in the last century — masterly because so simple — in the policy of Booker Washington. Let our race, he said, be as separate socially and politically from the whites as the ten fingers, though industrially as united with them as the fingers are united in the hand. Under the reconstruction era, he says that the chief desire of all bright young negroes was to hold office and to study Latin, and he declares that it is against these two desires that the efforts of his life are directed. More than a score of simple industries are taught. About these nearly all book learning is made to centre. Instead of the one-crop system he would have at least half a dozen. He teaches women to work in the field and garden, as they do at Swansley, England; establishes penny banks; teaches the men to work in wood, iron, lead, and leather, to raise poultry, cattle, pigs, mules, to build houses, make clothes, and, in short, to resume in freedom the control of the industries they had in slavery. His people resisted, for even industrial education suggested to them a return to slavery. Along these lines also he conducts summer conferences which attract negro farmers from every State in the South, and makes slow but effective headway against the extortions of tradesmen who thrive on the negroes' improvidence and credulity and those who sell on the instalment plan or advance money on crops yet to be gathered, levy extortionate rents, etc. Under this policy the negro waives for the present the right of suffrage and office-holding for the ignorant, or at least welcomes an educational qualification. For myself, I doubt if any educational institution in the world's history ever showed in those who attend from year to year greater progress along so many lines, — dress, manners, intelligence, morals, health, — than is seen in the pupils of Tuskegee. Thousands of schools of lower grade are being permeated by this influence, and the negro is winning recognition, and, what is quite as important, is content to do so on his merits. The only modification of Mr. Washington's programme that seems needed is that which

Professor Du Bois pleads for, namely, opportunity for all the higher cultural elements of education to every negro who can take it and make use of it. The only shadow that clouds his future now is the danger, happily diminishing, of the interference of Congressmen of the Crumpacker type with the existing state of things, — confessedly tentative and provisional, grandfather clause and all, — and the growing danger of an influx of white labor and of trade unions, most of which exclude negroes. Their ascendancy in the South would make wreckage of all the now promising solutions of these vastest of all our internal problems. Under this programme the negro will prefer the country to the city, the South to the North, and will slowly develop his full rights on an industrial economic basis, for money and business know no color line.

The course marked out by prudence and common sense would therefore seem to be that the negro should now address himself to the solution of his own problems, carry on the work of studying his race so well begun at Atlanta under Professor Du Bois, and make his own social life as he has made the life of his church (which is its chief centre, and also its most characteristic expression, to which nearly every negro belongs at some time during his life), and recognize that his race has gifts that others lack, — such as an intense and large emotional life, an exquisite sensitiveness to nature, gifts in the field of music and oratory, a peculiar depth of religious life (connected in part with the sense of dependence, which is its psychic root), a strong belief in invisible powers, a certain sense of fate (which in Africa predisposes the natives to Mohammedanism, which is said to be growing as fast as any religion ever spread and which some think a kind of next step above fetichism), rare good humor, jollity, patience, etc. An African museum has been suggested in which should be gathered the folk-lore and records of tribal customs (which a parliamentary commission in Africa has just found to be very elaborate, and in many respects better for the natives than English law, and of which many traces survive here), the anthropological literature upon the race here and elsewhere, and mementoes of Hamitic culture generally. Some have suggested a special permanent commission of those most competent and interested, white and black, to be consulted both by philanthropists and legislators. One of the most hopeful facts in the situation is that there are now for the

first time such experts. Their knowledge certainly ought to be utilized. This we have notoriously failed to do in the case of the Indian. There seems a water-tight compartment in Washington between the Indian Bureau presiding over the material interests of the red man and the Ethnological Bureau devoted to his study. Even the Mohonk Conference has never, I am told, with one exception, heard the voice of one of these specialists who best know the facts upon which all our Indian policy should be based. Let no such mistakes be made concerning the negro. He has capacities for friendship, loyalty, patriotism, piety, and industry in regions where white men cannot work, which in some respects perhaps exceed ours and which the country sorely needs. If he can only be made to accept without whining patheticism and corroding self-pity his present situation, prejudice and all, hard as it is, take his stand squarely upon the fact of his race, respect its unique gifts, develop all its capacities, make himself the best possible black man and not desire to be a brunette imitation of the Caucasian, he will in coming generations fill a place of great importance, and of pride both to himself and to us, in the future of the republic. The chief fact in the present situation is the at last rapidly growing tendency to commit the problems of his race more and more into the hands of its own members. If this is done gradually and wisely enough, and if the present promise of leaders within the race is fulfilled, all may yet come out best for both races in the end.

Mr. GAMALIEL BRADFORD spoke extemporaneously on "Reconstruction and the Negro Question," and on the evils resulting from the usurpation of power by legislative assemblies, and was followed by Mr. FRANKLIN B. SANBORN with some remarks on the principal topic.

Mr. Charles C. Smith communicated for Mr. WORTHINGTON C. FORD, of Washington, a Corresponding Member, a large number of unpublished letters from Edmund Pendleton to James Madison, written between 1765 and 1781.

Unpublished Letters of Edmund Pendleton.

Edmund Pendleton, of Virginia, is one of those characters who have come down in history quite as much by reflected glory as by their own merit and capability. A correspondent of

Washington, Jefferson, and Madison, an active member of the House of Burgesses, a delegate to the first and second Continental Congresses, and a warm patriot, he ranks among the first of the Revolutionary worthies that Virginia produced. He is best known for having drawn an early will of Washington, when the latter became commander-in-chief of the Continental Congress, and the speech of acceptance of that trust when Washington had determined to take up the grave responsibilities it involved. An even greater reputation came to Pendleton through the letters he received from Madison while the new Constitution of the United States was being weighed and judged by the States. The following letters represent a part of a series of Pendleton's letters, once in the possession of Payne Todd, the son of Mrs. Madison, and later in that of Mr. Frederick B. McGuire, of Washington, D. C., through whose courtesy I was permitted to make copies. The present location of these manuscripts is unknown to me, but they must constitute the largest single lot of Pendleton letters known. Unfortunately the copies end with 1782, and after some fifteen years I am unable to recall whether that is the actual termination of the series or whether the copying was interrupted by a change of administration. They will form a complement to the letters of Joseph Jones, printed in our Proceedings, second series, vol. xv. pp. 116-161.

PENDLETON TO MADISON.

April 17, 1765.

DEAR SIR, — I received your favor by Mr. Bell and shall as I see the gentlemen call on them for their proportions of the money decreed you, and let them know you are ready to sign deeds; I have not yet seen them; the success of my application you shall know.

The last tax that we laid was an additional 1/ and Poll (to 4/ taxed before) for five years 1765 to 1769 inclusive; we had then some expectation of money from England, and in the law directed the Treasurer for every 5000£ he received to stop the 1/ for a year. He received 20,000£ so that one year only of the 1/ was to be collected, and that I had heard him say should be this year. Upon the strength of which I wrote Mr. Taylor, and informed others that the tax was of this year, but since that the Treasurer has advertised it to be 4/ only, I suppose he has postponed the collection of the 1/ on account of the heavy levy this year. The House of Commons have resolved and ordered in a Bill to establish a stamp duty, by which every kind of

business transacted on paper is taxed, supposed to amount to £50,000 sterling a year on this colony. Poor America!

EDM^d PENDLETON.

December 11, 1765.¹

. . . Our distributor of stamps having resigned, great part of the business of this Colony must stop and some Courts decline to sit altogether, but I don't think that prudent. As the appearance of courts may convince the people that there is not a total end of laws tho' they are disabled to act in some instances, I think they should be held for that purpose and as many things done as can be without stamps, particularly wills, which may be proved and ordered to be recorded, tho' they can't be recorded nor any order made for the appraisement. Administrations can't be granted because the Bond can't be taken. Grand juries may be sworn and all proceedings had on their presentments and on all criminal matters or breaches of the peace. Justices may issue and trie any warrants or Att^{as} relative to themselves, but not att^{as} returnable to Court. . . .

EDM^d PENDLETON.

February 15, 1766.

DEAR SIR,—I received yours of the 3^d by Mr. Taylor, and will answer the several parts of it in due order. I wish I could begin with sending your money by her, but the circulation of money seems as effectually stopt at present as any business affected by the stamps; I hope it may be better in the spring and as soon as 'tis in my power you shall have it.

I don't recollect what particulars I wrote you before might be done without stamps, by Courts or single magistrates, so as to add any that may have occurred since, and can only give my opinion in the points you mentioned. As marriage licences are not required to be upon stamped paper, there can be no sort of difficulty in your signing them, when issued by the clerk, as you are not supposed to know that the Bond is, or is not taken on stamp paper. Whether the clerk can safely grant them is a question on which there are variety of opinions, as all Bonds in general words are subjected to this tax. But as the licence which is the Principal is exempted, and the Bond an accessory or incident to it, I am of opinion it is not taxable under the general term of *bonds*, and that the clerk may safely grant them in the usual manner. The swearing a person to an account or to prove his property and certifying it, is expressly within the law and can't be proceeded in, until all other business is, which the courts this way talk of reviving, and indeed Stafford Court I hear began this month.

This should be Nov. [Note by Madison.]

Mr. Beverley's land ought to be sold subject to the leases (or even fair contracts for leases) he had made to his tenants, who must hold the lands for their terms, subject to the conditions in the Leases, and the rent after sale to be paid to the purchaser, all person's rights being saved in the act, but those claiming under the intail; the Leases without recording are binding between the partys and purchasers who have notice of them, and 't will be well for the Trustees to give notice at the time of sale what tenants are on each lot.

There can be no manner of doubt but that George Roebuck has a good title to Hannah, the daughter of Frank, if he is not barred by the act of limitation and 5 years' quiet possession without any disability to sue on his part at the time his title commenced, which was his step mother's death. How came Hannah was not delivered with the others? Was it at that time George demanded her and Harcomb refused to deliver her? Was he ignorant of her, or did he consent that Harcomb should keep her at that time and afterwards demand her and when was the others delivered? As soon as I am informed as to these particulars I can then advise whether the act of limitation will bar him, and will issue the writ or not as I shall find prudent on that point.

I have not seen John Thilman since I received yours, nor had I before heard him mention his undertaking your church. If I can see him, will endeavor to find out his intention and communicate it to you. In the meantime I think you should call on him to sign the articles and a bond with security (which I suppose he was to give) and demand of him to execute them, and then if he refuses, you may immediately let the work to another, and either sue him for any damage the Parish shall sustain by his refusal, if 'tis worth while, or drop him altogether. When I see my friend M^r Hubbard, I will communicate to him what you desire as to the success of his subscription: the appology is so just and I am afraid the cause so general, that I make no doubt he has before received the same account often, as his papers have been circulated all over the Colony: all who know the family must assent to the justice of your observation (*Inter nos*), and some have unjustly indeed added others very ill-natured and such as his overreaching in trade to support his extravagance, but this was cruel and more so, as I ever thought and still believe him honest.

The Country appear divided, and I am perplexed myself what is best to determine as to opening our Courts of Justice immediately or not. The stopping them hitherto, I always approved of as a good temporary expedient that in the winter season was not very prejudicial, & at the same time seemed to answer two probably good purposes in avoiding a fresh provocation to the Parliament, and engaging the interest of the British merchants towards a repeal. Those ends being answered, there appears no reason to continue the means, for our fate as to that must

be determined in Parliament before they could hear from hence. Why should we not then proceed? If the act is repealed, all business transacted without stamps is good of course. If not repealed, what do we determine to do? It appears to me we must resolve either to admit the stamps or to proceed without them, for to stop all business must be a greater evil than either. And who is there that will agree to admit them? Not one in 1000, I believe. For my own part I never have or will enter into noisy and riotous companys on the subjects, my sentiments I shall be always ready to communicate to serious men. As a magistrate I thought it my duty to sit, and we have constantly opened Court, and I shall not hesitate to determine what people will desire me and run the risque of themselves, and having taken an oath to determine according to law, shall never consider that act as such for want of power (I mean constitutional authority) in the Parliament to pass it. On this principle upon a matter being proposed at last court within the act, I informed the Court it was so, and then put a General Previous question whether they would proceed in any business desired, notwithstanding that act. They generally expressed their intention to proceed this spring, but thought it best to wait a little longer, as they had hitherto stop'd. Were I applied to for an attachment, or any other thing within my office out of court, I would grant it at the party's risque as to the validity of it, for I am not afraid of the penalty, at least so much as of breaking my Oath.

Thus far the sentiments of others as well as myself for proceeding. Others, not inclined to admit the stamps, reason thus. The General Court it is thought will not proceed without them, if the act continues, their jurisdiction being superior to that of the County Courts, the suitors will know their resolution, and he that is cast will appeal and the General Court continue to reverse, for want of stamps, all the County Courts do, to the ruin and vexation of the suitors. Therefore it is best to wait til we know, and then conform to their resolution. Others say that the Governor being enjoined by oath and the duty of his station to endeavour to enforce the law, as soon as he is informed the Courts are proceeding, must issue new commissions to turn the magistrates out of office, and as none that are fit for it will and others dare not succeed them, a total privation of magistracy must follow, and even the Peace must be kept, but Gov^r Bernard's state of general out-lawry realised. Thus you have the sentiments of all partys as far as they have come to my knowledge. I should add that Mr. Hanbury writes that the Ministry had not determined what to do, until they heard from the northern congress, but says there is not the least hopes of a repeal, tho' they speak of moderating it, and taking off the restraints upon trade, and doing some other things by way of composition.

I have by this time convinced you there was no necessity for an

appology for the length of yours, since for that purpose I will make none for this and only add once more that I am &c.

EDM^d PENDLETON.

EDMUNDSBURY, August 27, 1780.

DEAR SIR, — When you first went to Congress I should have bespoken your correspondence, but knew your acquaintance was extensive and nearer relations very numerous, from whence I judged such a request would give you too much trouble, and declined it, as I was happy enough then to have two valuable friends, who handed me all the important intelligence which was allowed to be made public. They have since retired from Congress, and I must starve for want of news at this interesting crisis, unless you can drop me a line now and then without interfering too much with your business or ease. For happy as it would make me, I can't agree to accept it upon the terms of interrupting either. It is fair to let you know that the benefits arising from the correspondence will be unequal, since tho' you will find me diligent and punctual in it, yet placed as I am in a forest, occurrences will not enable me to give you much entertainment. Thus you have a fair state of the case on my side and will exercise the rights of friendship in declining it altogether, if you find it will subject you to any inconvenience. I am sorry to open this proposed intercourse with condoling you on the unhappy affair to the southward, the particulars of which you will know better than I, as I hear an aid has passed with Gen'l Gates' letter to Congress, and our accounts here are much confused; we have been unfortunate in that quarter hitherto, but I hope we shall persevere til we catch the lucky moment for success, and that you will hand us something comfortable from the northward ere long.

EDM^d PENDLETON.

EDMUNDSBURY, Sept^r 25, 1780.

DEAR SIR, — I am made very happy by your obliging favor of the 12th promising to indulge me in the desirable correspondence; since I requested it I have been informed you have ill health. I cordially wish its speedy restitution, but intreat you'll not injure it by devoting to me too much of that small portion of time which health as well as vigor of mind requires should be employed in relaxation from the severe duties of your appointment, and on these terms I shall thankfully accept the favor you so kindly offer.

Our sanguine hopes of redeeming our ill luck to the southward, by a great stroke eastward, have lately been fluctuating, since the account of the fleet with the 2d division intended for our assistance by our illustrious allies being locked up at Brest, we had intelligence by a vessel from Cape François that he sailed from thence with a French fleet of 24 sail

of the line for America, which he parted with to the southward. Comparing this with the account of our two prisoners escaped from Charles-Town that they were alarmed there by the arrival of a French fleet; General Gates's information that St. Augustine was attacked, and the various accounts of a fleet of about 18 sail having passed our Capes, a mind sanguine as mine, will draw hopes of very important events yet taking place before the close of this Campaign.

The affair to the southward was indeed unfortunate, not only in the loss of some of the brave Maryland line and the baggage, but in the disappointment we met of a great victory, which every circumstance promised. I feel no part of it more sensibly than its having added another article to the *blushing* honors of poor Virginia; what will she come to? Her new levies are gathering, they would have formed but a weak line at best, but their numbers considerably lessened by too many excuses of inability being admitted from the militia, and their quality impaired by accepting substitutes unequal to the person drafted; there are however, some very clever fellows, and I should be satisfied with them, if they were engaged for the war, but by the time they learn the duty tolerably they return, and we are to incur again the ruinous expense of recruiting, which on this occasion has been enormous. I believe by accounts I have had the men inlisted have cost on an average £5000 each besides the public bounty of a hhd tobacco, a sum which at any rate of depreciation must exceed the ability of any country, frequently to repeat.

I have thought long ago that 't was high time the confederation was completed, and feared some foreign powers might entertain from its delay, suspicions of some secret disunion amongst the States, or a latent intention in Congress to keep it open for purposes unworthy of them; I am happy to hear it is resumed and think it becoming, and indeed an indispensable duty in this, as in all other social compacts, for the contracting members to yield points to each other, in order to meet as near the center of general good as the different jarring interests can be brought, and did it depend upon my opinion I would not hesitate to yield a very large portion of our back lands to accomplish this purpose, except for the reason which Shakespeare has put into the mouth of his Hotspur.¹ In reason and justice the title of Virginia to the western territory can no more be questioned than to any other spot in it. The point was fully and warmly agitated in Congress and determined in her favor, 12 States were satisfied and agreed to confederate, and yet one stops the whole business, setting up her judgment in opposition to so

1 "I'll give thrice so much land
To any well deserving friend:
But in the way of bargain, mark ye me,
I'll cavil on the ninth part of a hair."

many? Yield to her in this, may she not play the same game to gain any future point of interest? I am told that Maryland insists upon one of our delegates having in a manner promised when the point of declaring independence was in debate, that the back lands should be a fund for supporting the war. I have [heard] that a rhetorical expression to that purpose was used by a gentleman on that occasion. can balance that account at least by a very serious question more in point, debated in Congress in 1775, when the delegates from Pennsylvania and Virginia proposed that a garrison of 400 men be raised and kept at common expense at Pittsburg to awe the Indians. It was warmly opposed from *Maryland* upon this ground that it was a of those two States merely to guard their own frontiers in which the others were not concerned, and therefore the expense must be incurred by the former. Their objections prevailed, the motion was rejected, and the two States raised the 200 men that service soon afterwards: However with the Assembly it must rest to determine what they will yield to harmonize and cement the union, and it must be acknowledged that in other respects, particularly in the field, Maryland has maintained a very worthy character in the contest. For my own part I never was anxious about our back lands as a valuable fund. I was against the sale of them at all, but for putting them into the hands of the people upon the terms and in the mode accustomed, being of opinion that the consequence of allowing purchases of unlimited quantities, and that without the obligation of culture, would introduce more disputes and confusion than the money would recompense. The small experience I have had of the business since, has rather confirmed than changed this opinion. However, as I was then, and perhaps am yet singular in this opinion, I am very ready to suppose I am mistaken in it.

Whilst I am on this subject permit me to suggest that I have heard it surmized that this mighty earnestness in Maryland proceeds from 5 or 6 gentlemen there being concerned in an Indian grant of great part of the country between the Ohio and the Lakes, which they hope to preserve by having it thrown into the share of that Country in case they make it a common stock. This our Assembly will never agree to, as it would be most unreasonable to expect them to yield their territory, in order to form principalities for a few individuals of other states. It is time for me to leave it to those whose province it is to decide on it; it shall be mine to acquiesce.

EDM^d PENDLETON.

EDMUNDSBURY, October 1, 1780.

DEAR SIR, — Since my last I have your favor of the 19th inst. and can't. conceive where the great fleet of our allies are? They must

have left the windward Islands, and Rodney have been deceived by them if they did not come to America, as he would not otherwise have ventured to leave those seas. We hear nothing further of them to the southward.

I hope they are not in a state of such perfect security at New York as to induce them to spare 5 or 6000 men to invade us. Our people however promise if they should pay us such a visit, to fight them hard. I hope at least they will do better than those who met *Ld. Cornwallis* at *Camden*, I mean the militia, for the Maryland Regulars did honor to themselves and country.

I am sorry to hear of the mortality which rages in your city. It is pretty general and might indeed be expected after so very hot a summer. Even our healthy forests are not exempt from the ague and fever, tho' scarce ever known in them before. I hope you and my other friends from Virginia, escape the contagion, which low habits have generally the best chance to do.

We have just received an account that *Colo. Clarke* has had a battle with the Indians at one of their towns about 170 miles from the Falls of Ohio. He had 16 killed and 12 wounded, and found about 15 of their dead. He made them run, burnt up two towns and destroyed all their corn there, about 300 acres of very fine. My informant who was in the action thinks it would have made 20 barrels to the acre. *Col. Clarke* did not pursue them, having intelligence that the Indians had somehow got notice of his attack, and had sent to *Detroit* for a powerful reinforcement, which they daily expected.

EDMD PENDLETON.

VIRG^A October 8, 1780.

DEAR SIR, — I have your obliging favor of the 26th past & know not when my first letter, after you kindly accepted my proposed correspondence, should have reached you, but be assured I have not missed a week since, nor shall I unless sickness prevents me, being a very punctual tho' not an entertaining correspondent; at this time I have not a word of foreign or domestic intelligence to communicate, except that we had a report on Thursday last of a large fleet of British ships arrived in our bay and that they were landing their men at *Portsmouth*. But as I have heard nothing further of it and the governor had no account of such an invasion on Friday, I take it for granted the story is without foundation. I might indeed fill my paper if I was to trace *Graves* and *Rodney* thro' the various excursions my fancy has framed for them, but blank paper will give you as much satisfaction as such a reverie would.

What do you think of government having advertised the time and place for the execution of each condemned rioter in Britain? It is a

challenge to the mob to come forth, and confirms me in a former opinion, that the despotism adopted at the commencement of the present reign had a much more extensive object than America, and was intended to reach the whole empire. I think & foresee it began in Britain and that it will be prosecuted there whatever is the fate of America. And considering the number of crown officers and prisoners with the creditors of government and all their various connections, it seems to me they will have a better chance of succeeding there than here; so we can keep clear of their horrid tyranny, they may settle the other point amongst themselves.

EDM^d PENDLETON.

VIRG^a Oct 17, 1780.

DEAR SIR, — I am anxious to hear from you. Since missing that pleasure last week, I fear the general sickness of the citizens has reached you. I shall be happy to learn it proceeded from any other cause.

The story we have of Gen^l Arnold's corruption is indeed shocking to humanity and I wish much to know the utmost consequences of the discovery, as far as they are manifest, and proper to be made public; for I know you too well ever to ask you to reveal even to me what your duty or the interest of the States requires to be kept secret, and if I know myself I would not desire it of any one. This I wish to gratify curiosity, and not because I feel any part or fear the keenest probe, as I hear some have done and taken themselves away. Providence in bringing this secret mischief to light just as it was on the point of completion, has given another instance of its kind interposition in favour of our just cause, which I hope will rouse all its favorers from that apathy from which alone our enemies can hope for success. We have just received a very agreeable piece of intelligence from No. Carolina, that Col. Sumpter has taken Col^o Tarlton and all his horse but 4, with as many infantry as made in the whole 900, having surprised them in the village of Charlotte, when they were inebriating freely upon Col^o Sumner's having evacuated that place and retreated towards Salisbury. The story is not ill told, and has this further confirmation that a gentleman in this county had just received a letter from his son who is in those parts, informing him that Sumner was retreating before the enemy, and Sumpter in their rear had written to General Gates to send him a speedy re-inforcement, which would enable him to cut off their retreat and he doubted not to give a good account of them. I suppose their junquet induced him to attack without waiting for the succors he had called for. If this be true, I hope 'tis the beginning of a flood tide in our southern affairs after the long ebb we have experienced, and 'the rather as we hear the North Carolinians turn out very

spiritedly, and besides their infantry have mounted at least 1000 good horse, and that their southern neighbors grown weary of their new, old masters, are generally ready to aid in their expulsion as soon as they can have a tolerable prospect of success. Our Assembly are to meet us on this day. I have seen some of the members who appear resolved to make it the business of this session to provide for the next year's campaign which they have heretofore very improperly suspended to the May session, voting in that the raising of men at a time when they should have been in the field. May Heaven prosper their and your councils to the putting an agreeable period to the war.

EDM^d PENDLETON.

VIRGINIA, October 23^d, 1780.

DEAR SIR, — Since my last I have not only received your favor of the 10th but that of the 3^d, when I supposed you had not written, also reached me after a circuitous trip to Richmond, and removed my fears for your want of health. I have no particulars of the affair at Charlotte, mentioned in my former, but its authenticity seems confirmed, and as our recruits are marched that way, I hope we may soon have an army in that quarter to improve this beginning of good fortune. It will be the fault of Virginia if she is surprised by the enemy in case they intend an invasion here, since they have been for sometime past in daily expectation of such a visit; how they may be prepared for it I know not, as I have not been lately away from home.

How do Congress bear the horrid confinement of Gov^r Gadsden & Co.? Do they mean to retaliate, or suffer the Convention troops to riot in ease, plenty and breathe a free and healthy air whilst our friends are stifled and suffocated with the stench of a prison ship, or a dungeon in St. Augustine? It is horrible to think of, unless indeed it be true that in breach of their parole and good faith, they had really plotted the recapture of the town and garrison, which cannot easily be credited.

The motions of our good allies are mysterious, but I yet hope may produce something beneficial before the end of the campaign; we have a loose report that they have given the British fleet a great wound in the West Indies, but it is too vague to be relied on.

EDM^d PENDLETON.

50 sail of ships are in the bay.

VIRGINIA, October 30, 1780.

DEAR SIR, — Since my last your favor of the 17th has come to hand and we have a visit from the troops embarked at New York. My accounts of them are very imperfect, but they seem to have divided

themselves, landing 1000 infantry and 300 horse at Hampton, and another body at Portsmouth. We have just heard that they have re-imbarked from Hampton, after taking about 500 head of cattle, but whether they meant to go off or come up James River and take possession of Williamsburg, seemed doubtful. Perhaps the paper of to day may give us information, and give you also a more perfect account of the agreeable turn in our southern Affairs than I am able to do, having accounts of various pieces of good fortune in that quarter said to be well authenticated, but so jumbled together and the scenes at the same time so distant, that I can't develop the intelligence satisfactorily. Thus Tarlton is surprized, and 600 of his legion taken, but where or by whom is not said. I conjecture 'tis at Charlotte by Colo. Davidson, perhaps joined by the group of Colos. who beat Ferguson at King's Mountain. A council of British officers and indians are taken with many goods at Augusta in Georgia. This I suppose to be the affair of a Col^o Clarke, mention'd in Dixon's last paper. 6000 French have landed and taken the Savanah, and somebody has driven Lord Cornwallis from his dinner, and somebody has taken Georgetown, but who they are and whether the same body did both I am not informed, perhaps your accounts from General Gates may be more intelligible. I think the stroke the British commerce hath received from the combined fleets off Cape Finisterre must humble them a little and perhaps they may think seriously of peace. Pray is it true that a Congress of ministers from the belligerent as well as several neutral powers is expected to be held under the mediation of Russia? and may we expect any good from it, or is it mere amusement? Is a general exchange of prisoners agreed on, or only a partial one? We hear Dr. Lee and M^r Izard are with you and are open and unreserved in their abuse of Dr. Franklin. They must have very strong proofs before they can affect the character of that great man and philosopher, so long and universally esteemed for his wisdom and integrity, but I am more concerned for our common interest which must receive injury from every internal wrangle of this sort.

A sufficient number of our delegates had not met to make an House on Thursday last and as many of the town gentlemen went away on the news of the invasion, I doubt they have not yet, tho' a fortnight has elapsed since they should have met. The sickly season may have occasioned this, otherwise 'twill be difficult to account for the cause of such supineness at so critical a juncture, when the consequences may be fatal. I hear the militia march on this occasion with great alacrity and even ardor, tho' I think the setting them in motion is rather slow.

I hope the prizes to the Saratoga have found their way through the fog to some of our ports, and not reached New York. . . .

EDM^d PENDLETON.

VIRGINIA, November 6, 1780.

DEAR SIR, — My friend Mr. Griffin left me this morning by whom I sent you my best wishes for your health which he told me was low. I hope the approaching cold season may brace up your nerves.

I judged from your account of the number of the enemy embarked from New York that they were in pursuit of something to eat; we now hear they have picked up a quantum sufficit to load their vessels with beef and mutton and are going back to New York, where 'tis said provisions were short; but this supply and that by the Cork fleet will relieve them.

We have loose accounts from the southward that the British army to the amount of 3,000 are taken, that of their being surrounded by some formidable bodies of ours seems well told and renders the other not improbable.

Just after your account of the large invasion from Canada into the frontiers of New York, we were amused with a certain account (as 'twas called) of the taking of Quebec by the second division of the French fleet and army, so long expected at Rhode Island. We are since deprived of this pleasure by a flat contradiction of the intelligence. Was this mere invention, or had they any ground for circulating the report. We had yet no House of Delegates on Saturday last which with an empty treasury, are circumstances unfavorable at this juncture. Mr. Henry has resigned his seat in Congress and I hear Mr. Jones intends it. It is also said the Governor intends to resign. It is a little cowardly to quit our posts in a bustling time. . . .

EDM^d PENDLETON.

VIRGINIA, November 13, 1780.

DEAR SIR, — I have your favor of the 31st past and am pleased to hear the former account of the arrival of the Cork fleet proved premature, since we are so bad Christians as to be gratified with the distress of our enemies. It was probably the transports with their new levies which were mistaken for the others.

The enemy here have collected a handsome recruit of provisions, but whether they mean to carry them to their friends at New York, or to stay here and consume the stock, yet remains a doubt, since their continuing to fortify at Portsmouth and the Great bridge indicates the latter, and yet their numbers, if we are not deceived in them, forbid such a conjecture. I have heard nothing certain from Gen^l Muhlenberg, a loose report was that they had been fighting two days, but this is destroyed by later accounts. Perhaps the paper of to-day may give some account of that as well as the enemy's southern army, who it is said have escaped our parties, and are like to get safe to Charlestown. The enquiry into General Gates' conduct gives general satisfaction, as

popular prejudices against his conduct to the southward ran high, and such an enquiry will satisfy the public of the justice or injustice of the suspicion.

It was rather unfortunate that an assembly at this important juncture could not make an House 'til last Monday (three weeks too late) for want of members. I hope they will make amends by their vigor and diligence for this great listlessness and inattention.

EDM^d. PENDLETON.

VIRGINIA, November 27th 1780.

DEAR SIR, — My last account of the enemy was the 18th when they were all embarked, but whether with a design to leave the State, or to make an impression on some other part of it was doubtful. There was something mysterious in their leaving their slaves on shore and some captured vessels in the harbor at Portsmouth, and indicated their having designs of further hostility — unless they had not room for the slaves, nor hands to spare to man the vessels. This uncertainty and a report of some deserters that they meant to come up James River induced Genl. Muhlenberg to move his camp higher up the river to watch their motions. I expect, however, that the post to day will bring us an account of their having left us. There was no truth in the story of a battle I mentioned in my last, but I believe it was true that a clever stroke of that sort was prevented by some dispute between two officers about rank, my friend there don't name them, but report says it was Gibson and Josiah Parker.

Our last accounts from the southward are that L^d Cornwallis being surprized at a Tory's house at dinner, rode off thro' a hot fire of the militia and went off immediately in a litter to Charles Town, said by deserters to be mortally wounded. That his army was surrounded by different parties of ours, all of both very hungry, except Sumpter's party who were foremost and had the picking of the provisions. That Tarleton's horse had made a charge upon Sumpter in his camp, but found him so well prepared that he was glad to scamper off as quickly as his lean cavalry could do, leaving ten killed and twenty prisoners. I suppose he hoped for another surprise.

I am told the assembly are raising a fund of negroes and plate as a means of recruiting our army for the war, according to your requisition on that head, but mean to contravene your wishes on the subject of money, intending I hear a large new emission, and to make that as well as what was emitted under the act of last session, and all certificates, payable for taxes of the next year, which will of course leave so much of the old money in circulation and stop a proportion of the new from coming south, and so retard, if not defeat, the purpose of Congress upon that great subject. I take this only from report, and it may be mis-

represented; or if such be the present opinion, as they have yet a very thin House, it may change in the progress of laws framed on the subject, which is a deep and delicate one, and may Heaven give them the wisdom to discern what is best and I doubt not their integrity in adopting it. I don't hear they have proceeded yet to any elections of a chancellor or members to Congress. I suppose they wait to be fuller.

EDM^d PENDLETON.

[VIRGINIA, Decem^r: 4th 1780.

DEAR SIR, — Since my last I am indebted for your two favors of the 14th and 21st past. Everything wears the appearance of confirming the intention of the enemy to make a winter campaign to the southward. The fleet who lately left us, it is said divided off the capes, part steering eastward, the others to the South. If those and the late embarkation from New York should meet at Charlestown, I fear that with the army already there, they will recover the ground they have lost by the spirited affair at King's Mountain, and revive the rapidity of their progress through that State.

Our militia are returned sickly and murmuring at the treatment they met with below, from forced marches and too strict attention to orders, not being allowed to break their ranks, tho' to avoid deep ponds of water or to drink; this brought on pleurisies and the death of 8 from this County that I have heard of, besides many yet in danger; I fear it will have bad effects on the recruiting service, besides the loss of some good men.

Our Assembly have made all paper money issued and to be issued a legal tender in payment of all debts. The specific negroe and plate taxes are given up and we are to pay £80 p^r ct. on the late specie valuation in January, as a fund for raising the soldiers at £5000 a man for three years' service (for I understand they have no hopes of raising them for the war) tho' I hope that term will exceed the other indefinite one. Mr. Blair succeeds Mr. Nicholas in the Chancery, and M^r Fleming goes into the General Court. Your Colleague in the room of Mr. Henry is yet to be chosen.

EDM^d PENDLETON.

VIRGINIA, December 11, 1780.

DEAR SIR, — I take up the pen merely to ask you how you do? Having nothing foreign or domestic to entertain you with; I have not even heard a word from the Assembly this two weeks. Yes, I have one very unlucky circumstance to mention, which tho' it may seem of little consequence, I fear will have important effects in the future. Our militia who turned out with the greatest alacrity, are returned with the most riveted disgust, which is communicated to all others, so that it is

announced in all companies, that they will die rather than stir again. They were very sickly and many died below, on their way back and since their return, all which they attribute to the brutal behavior of a Major M^cGill, a regular officer, who had the command of them in their march down; besides forced and hasty marches, wh. will hurt raw men. They alledge that he wantonly drove them through ponds of water which might have been easily avoided, and would not allow them time to eat. Thus travelling in their wet cloaths they contracted laxes and pleurisies, which proved fatal. This disgust I fear will prove a prohibition to the recruiting our Continental quotas — if it produces none other bad effects.

EDM^D PENDLETON.

VIRGINIA, January 1st, 1781.

DEAR SIR, — I have forfeited my reputation for punctuality by omitting to pay you my respects by last post, which being Christmas day, I had fancied the rider would not move, but he did so, and without my letter. I am afraid you'll say it would have been no loss, if I had repeated the mistake to day, since I have not a syllable of intelligence foreign or domestic, except that we have housed a fine crop of corn, such as was never seen in Virginia before, and have hitherto had a charming winter. The account of Sumpter's success against Tarlton, and of Col. Washington's compleat surprize of the enemy, at least a party of them, are our last accounts from the southward, and I do not hear on what ground our Assembly fixed the recruiting bill which changed shapes as often as Proteus. It is said they adjourned on Saturday last. I am glad to hear that the embarkation at New York was only taking place when you wrote your last letter, as we had supposed the reinforcement were already at the southward. As it is, we have some more time for preparation. I fear not enough. Pray what do you think of our new appointment of something, I know not what to call him, to Congress? ¹

EDM^D PENDLETON.

VIRGINIA, February 5, 1781.

DEAR SIR, — I congratulate with you upon the very agreeable intelligence from the south of which you will have a full account ere this reaches you. I think L^d Cornwallis's army must be broken and can only depend for safety upon that at Camden under Gen^l Lesly, and could we immediately fill up our line for the war, I think the termination of that evil would not be far distant. I have heard Arnold and his crew have left us, but dont know the certainty. Nor for what purpose the Assembly are to meet the 1st of March, unless it be on the subject of money or that any circumstance respecting the recruiting the men may

¹ Benjamin Harrison. See Letters of Joseph Jones, Washington, 1889, p. 65.

make it necessary. Perhaps times appointed for measures may have elapsed during the invasion and require new directions.

Our friend Craddock Taylor wishes to know if there are any hopes of his speedy exchange. There are some seamen at Winchester who would answer the purpose, if they can be applied to it, but that you know best. It is said that in Morgan's engagement the militia behaved to a charm, dealing out their bayonets with all the spirit and dexterity of veterans. Let them have credit for it.

EDM^d PENDLETON.

VIRGINIA, March 5, 1781.

DEAR SIR, — I have your favor of the 13th past and thank you for the foreign intelligence, on which head we are made to expect something more interesting this week by an account which a gentleman affirms he saw going to the press in New York City, of Count d'Estaing's having taken 7 sail of the line of British ships out of a squadron of 9, and forty odd transports. Whither bound, we hear not, and of course taking it by the best handle for ourselves, we set it down for the reinforcement we have been threatened with to their Southern army, and conclude we have so many less to contend with.

In mentioning the race between Green and Cornwallis, I stated them as running parallel at the distance of about 60 miles. It seems they were much closer, and in the same tract, Green's rear frequently skirmishing with the other's van to give his own time to get on. However, Dan river ended the pursuit, his L^dship, having staid on the south side about ten days, retreated to Hillsborough, and there divided his army into 3 bodies, one setting out towards Salisbury, another towards Cape Fear, and a third taking a course between. If he continues that order of march, as his parties must soon be far distant one from another, I think two at least, if not the whole, must fall a prey to the pursuers, or to Gov^r Nash and Caswell, who, 'tis said, have a large body in their way. But this is rather supposed to be a shamade, and that he will soon reunite them in one body and march for Cambden. Be it as it may, I think our Cavalry must do something on this retreat.

It is mentioned as from good authority, that the French ships in our Bay had been out on a cruise and returned with five provision ships and two armed vessels destined for Portsmouth. I fancy a seasonable disappointment to the enemy, who are rather scarce there. Our Assembly met on Fryday last, and Col. Lee placed in the chair without opposition. We continue to pick up men for the war and shall get more than I expected.

The group of Col^o I formerly mentioned, it is now said brought Green 2000 men, who are cheerfully gone with him in the pursuit, and I hope will be an overmatch for Cornwallis' mirmidons in bearing the

fatigues of march, as well as skirmishing, should they meet in the woods. Let Virginia have credit for having thus stop'd this powerful adventurer on her borders, if she should not be able to give a more agreeable account of him.

EDM^d. PENDLETON.

VIRGINIA, March 19, 1781.

DEAR SIR, — Your favor of the 27th was closely followed by Col^l Harrison, who gave me much information; I had the satisfaction among other things to learn that your health was re-established which I had entertained some fears about from accounts last fall. May it long continue firm and vigorous.

I have been long in hopes of hearing some good account of Cornwallis, in consequence of his mad trip, and reports for some time had been very favorable to such expectations. Having nothing from thence lately, we consider it a bad omen, and are prepared for any disagreeable intelligence to which two loose stories, of the defection of a militia General Gregory, who had engaged to betray and deliver up 1000 men, but was discovered in time to prevent it; and the surprize of our infantry under a Col^l Williams, have a good deal contributed. A third indeed is added, that our militia cool in ardor in proportion as they retire from the line of the State and grow impatient. I wish they could always be engaged as soon as they are collected, whilst they possess that fire which they carry from home. I fear indeed that they want provisions in that country, not abounding in them at best, and now exhausted by the ravages of both armies. In short I cannot avoid my fears of disagreeable news from that quarter after expecting the best.

It is strange that we can't depend upon what we hear even from the sea coast of our own country. You'll have heard of the enemy's having come from Portsmouth into Hampton neck for plunder. The spirit of a few neighboring militia, tho' they got hurt in the opposition deprived them of all their plunder except a few negroes and horses. We first heard they had gone back to their Den; then that they had advanced to York Town. We were last week assured the Marquis had got safe down and a considerable French fleet arrived; now we are told that neither had happened; we have two accounts circulating which we consider in opposition to each other, and but one of them can be true, if either be so, that St. Eustatia is taken by Britain, and that Count d'Estaigne had burnt 300 ships in Kingston Harbor and plundered the town. If the account of the Count's former capture of part of Hood's squadron be true, the latter is not improbable; nor if it be groundless is the former.

Were the outlines of the basis of a treaty for peace which were pub-

lished in the Packet really sent from Spain, or fabricated in Phila.? I think they would be a good foundation to build on.

My mouth waters when I read the Adv^t for the sale of the Saratoga's prize, containing such a quantity of that Cordial Elixir I have long been deprived of. However, I will not depart from the restraint I laid myself under from the beginning, to purchase nothing which is not absolutely necessary.

We have just heard that our allies have lost their naval superiority to the northward.

EDM^d PENDLETON.

Our Assembly have yet done nothing, being engaged in a dispute about privilege.

The Marquis is arrived at York in a whale boat, two days after another boat arrived there with about 30 men. The residue of his men got to Annapolis just time enough to escape two frigates Arnold sent up to take them.

VIRGINIA, March 26, 1781.

DEAR SIR, — I have your of the 13th which announces Mr. Jones's intention of coming to Virginia, so that you will have for a time at least, the whole burthen of my correspondence on your hands, as I am in this instance a severe task master and can't abate of my weekly revenue. I'm sorry there is so good ground for discrediting Count d'Estaing's victory. I even doubt his going at all to the West Indies, which may admit of the enemy's parting with some of their ships from that quarter to reinforce and give a decided superiority to their fleet in America. Indeed our Executive are of opinion that the squadron now in our bay is from thence commanded by Rodney. However from their number and sort, it is generally supposed to be the New York fleet, and that their errand is to take away Arnold's corps. Some negroes lately escaped say the troops at Portsmouth are in high spirits upon the prospect of getting off. The Marquis it is said, is much chagreen'd at his disappointment.

A vessel is just arrived from Martinico, the captain of which affirms that the British have taken Statia, as well as the American vessels, but I rather think it is a mistake, as that would be too bold an attack upon the confederation for supporting the rights of neutrality, for even the apathetic Dutch to bear. They might color over the taking the American vessels, but not the other.

I can almost venture to congratulate you upon the event of Gen^l Greene's battle, which tho' he first quitted the field, may be considered in its effects as a victory; since he retreated in good order, unpursued, and offered battle again the same day, which was declined on the part of Cornwallis. Since their loss at least doubled ours, and our general

and men remained in high spirits eager for another action, when the account came away. This will, however, be highly puffed off at New York, if we may judge of their candor from the account they published of Morgan's brilliant victory. I am happy in being told that our militia at this time stood as firm as a rock, tho' concerned to hear their brave leader Gen'l Stevens received a wound in his thigh, it is said to be in the flesh only and not dangerous. It is said the N. Carolina militia were very bashful, but I hope they may recover their fortitude another time. If Arnold goes, I expect it will be there, which affording an opportunity to the Marquis and Gen'l Wayne to unite their Corps to Green's, may draw the contest more to a point, and be productive of some good consequences, tho' the detail divided rencounters might probably be *prose* [?] promising of success to us.

I send you for your amusement a battery which our Assembly was preparing to send to Congress against the Northern States, but were diverted from the subject by Col^o Harrison's return and the prospect of assistance. You will consider it as the rough draft of a private member only, not considered even by the committee who were to prepare it. It may be not improper for Congress to pay some attention to the sentiments, tho' you'll not publish the paper.

The Assembly this session got over that frugal disposition which at the last prevented their filling up our representation to Congress, and they have done so. Whether Col^o Lee's election to the chair and the Dr's presence gave hope of the latter being appointed, and produced the change of sentiment, or to what other cause it is to be attributed I will leave to motive-mongers to decide and only say that Col^o Harrison is elected, but as it was in his absence, I know not whether he means to accept it. I know not what the Assembly have done besides authorizing the emission of 15 millions more, and directing the raising two legions for State defence to consist of 600 infantry and 100 cavalry each, under a Brigadier (Spotswood) Lt Col^o Taylor and Meade, and 2 Majors each. The cavalry to find their own horses. Officers and men to receive Continental pay, rations and forage whilst on duty, which is only during an invasion. The privates, half pay at all other times, and the whole exempted from all other militia duties and drafts: which if completed, will be a better defence against plunderers than our former systems.

EDM^d PENDLETON.

VIRGINIA, April 2^d, 1781.

DEAR SIR, — Since my last, I have Mr. Jones' favor of the 20th, but as I hear he is now at home, I write you, as I shall continue to do weekly in future.

Mr. Jones mentions the anxiety in Phil^a for the event of an expected

meeting between the French and British fleets. In this perhaps, you may be relieved by some intelligence which has not reach'd us, but we are quite in the dark about it, having a British fleet lying quiet in Lynhaven Bay, joined lately by some transports, so as to make the whole about 40 sail. At sometimes we are told they brought General Philips and a reinforcement of 1500. Other accounts are that they have no troops at all. Various also are the reports respecting the battle. Some say it was a severe conflict, in which the British were worsted, having the London and 2 74's towed in, and that the French did not pursue them into the Bay, because they did not choose to risque their troops, which they had since landed at Cape Fear. Others report the engagement was very trivial, and rather a kind of salute as they past each other. And in this State of suspense are we at present, respecting this important affair.

I am happy to find that every day proves Gen'l Green's battle to have ended more favorable for us, than was known at first. It was peculiarly fatal to his officers, who I suppose were the marks of our riflemen and of whom it [is] said he has not enough left to command his shattered army. Nothing more strongly evinces his imbecility than his having left behind him part of his own wounded, with ours, among the number Gen'l O'hara, since dead. I think we must yet catch this noble adventurer, who yet appears to be the object of a special Providence, since of two horses killed under him, one received 15 balls, and yet the rider escaped unhurt.

A letter from Philadelphia of the 20th past mentions the death of the Empress of Russia and that her successor had allied himself to Britain, but as Mr. Jones to me and Dr. Bland to the Gov^r in letters of the same date, are silent as to that important subject, I think it rather some mercantile manœuvre. However, if Britain hath not a good prospect at least of some powerful ally, her late stroke at the Dutch is astonishing, and must proceed from unbounded pride or desperation. Surely this blow must cure the Mynheers of their apathy and rouse them to some great exertions, as well as inspire the other confederated neutral powers with resentment. But in this case I fear my hopes of peace this year will vanish, and perhaps all Europe get involved in a tedious war, in which America will be involved, a circumstance not at all agreeable to the general wishes of the people this way.

EDM^d PENDLETON.

RICHMOND, 7 April, 1781.

DEAR SIR, — I have your favor of the 27th past, which gave us the first certain account what had become of the French fleet since the engagement off our capes. It is however confidently affirmed that the British took a 64 or 74 and have her now with their fleet. I do

not believe it unless it be one not belonging to the fleet engaged, picked up at some other time, and that is very improbable.

Reports continue uncertain as to the number and destination of the late reinforcement from New York; they have not hitherto made any hostile movement here, and are generally supposed to be designed for more southward operations, either by land through No. Carolina or to be sent round by water. If we are to credit a report just received, Lord Cornwallis wants their assistance, for we are told that in severe engagements on two successive days, Greene was victorious and had wounded his army severely. This comes in a letter from a Virginia officer to his lady, which had been read by a gentleman from whom another gentleman had it who brought it here, both of undoubted credit; but no official account of the affair is yet brought to the Governor. It is not in the letter, but a report accompanies it, that Tarleton's legion is wholly cut to pieces, and himself killed, having refused to accept quarter. In this situation the time of service with our militia with Gen'l Greene is expired, and he will be left a prey to the enemy, or obliged to abandon his prospects and fly from victory before our men can be replaced. Do Congress mean to have the weight of the southern war entirely upon Virginia? Or suffer our main army to remain idle spectators of repeated drafts from New York to recruit the enemy in this quarter, without any corresponding assistance to us? Surely not, as it must produce the worst consequences. I am happy to find our people willing to exert themselves on this great occasion, but know they are not alone able to support this burthen, nor do I believe they will submit to be duped.

A report was circulated last week upon a letter from your city that the Empress of Russia was dead and her successor had joined Britain, which by another letter this week is improved into a junction of all the northern powers with that court, but as you did not mention it, I am satisfied 'tis a mercantile manœuvre.

EDM^d PENDLETON.

CAROLINE, 16 April, 1781.

DEAR SIR, — I have your favor of the 3^d and am glad to hear the Penns^a line are coming, and hope the Marquis' corps or some other will be added to the southern army as I fear without it, we are not in a condition to oppose the force designed to act in that quarter. Gen'l Greene's new manœuvre I consider as a hazardous one, which may produce consequences very beneficial, or he may be overpowered and caught by reinforcements to Lord Cornwallis. I have great reliance on his prudence and foresight, and suppose he is directed by probable prospects of security and advantage. Our enemy below appear tolerably quiet and have not yet manifested their intentions. It is said they

are on board their vessels, some say going out, others up the Bay, and the Caroline militia were on Saturday called to Fredricksburg to defend the public works there and Hunters, it being said they were up Potowmack, had burnt Alexandria, and were to destroy those works in their return, by marching there from Potowmack creek. I have just heard that the alarm was mistaken, and that it was only a small plundering party, who having met with some rebuffs, were hastening down the river. They were in sight of Alexandria, but did not attempt to land.

I think our elections hitherto give us hope, that the Assembly will be improved, tho' in some instances in the Northern Neck, the contrary would appear to be the case.

EDM^d PENDLETON.

23 April, 1781.

DEAR SIR, — Since my last nothing material has come to my knowledge, the fleet up Potowmack proved as I expected a mere plundering party, or if they meant anything hostile against Alexandria or Fredricksburg, they were deterred from the attempt by the preparation made to receive them. They have been alarmed at Richmond for some time past expecting another visit from the enemy, upon hearing they were in James River; I am just now told they are in possession of Williamsburg, but cannot learn their numbers, or whether they mean to stay there or plunder and return. A body of militia are about 5 miles off, but I suppose inferior to the enemy, as they did not dispute the city with them. Should they mean to take a post there, they will command the whole neck down to Hampton, and will oblige us to keep two large bodies of militia, one on each side James River, which can afford no assistance to each other, whilst the enemy, masters of the water, can throw in aid from one post to the other if there be occasion: I fear our crops, of corn particularly, will be much injured by the large number of militia already in service and yet more will be necessary unless succors arrive speedily from the northward. What is become of the Penns^a line? We have been told they had refused to march southward, but since that they are expected to reach Fred^s this day. Had we those and the Marquis' corps we might hope to drive off these invaders, which cannot be done by militia alone, especially ill formed as ours are. Your brother left me this morning in his way to the university, Mr. Wythe having advertised his lectures to commence the 1st of May. I expect your brother will hear of the enemy's possession of it, and return. He left the family well.

EDM^d PENDLETON.

VIRGINIA, 30 April 1781.

DEAR SIR, — Since my last your two favors of the 10th and 17th have come to hand together, a week's mail having failed to come to

Fredericksburg on account of the enemy's being up Potowmack, and that I judge was the reason of your missing my letter of that week, which has probably since reached you. I hope I give all the credit due to the report of the Russian junction with Great Britain when I don't believe a word of it. Such an event may take place at some future period, but the haughty temper of the latter must come down first.

You'll probably have heard of the progress of Gen'l Philips in this State. They paid a visit to York and Williamsburg, where they behaved civilly enough, doing little or no mischief. Our militia at the latter place consisting of about 800 men under the command of Col. Innes, knowing they had sent a large body to land up James River to cut off his retreat, very prudent retired in time and crossed Pamunky at Ruffin's Ferry. The enemy remained but a few days at Williamsburg, went up James and Appamattox river, landed at Cedar Point, and marched to Blandford, where Gen'l Muhlenberg, who had come up by land on the south side of James River, and was joined by some militia of the neighborhood to the amount in the whole of about 1500, was posted to oppose them; a warm conflict ensued, which lasted about 25 minutes, in which I am happy in assuring you, our militia discovered a bravery which would have done honor to veteran troops, and gives a happy presage of our being finally able to repel these invaders. It was with difficulty that the general could bring them off, when he judged it prudent to do so, and they retreated in good order with their cannon to our camp at Chesterfield Court House. As I have seen no official account, I can only give you that I have had from different persons who were in the action, and say our loss in killed, wounded and missing is about 100. They speak from conjecture only when they say they must have killed at least 200 of the enemy, but I think our marksmen must in that time have done very considerable execution, and left them little but the name of victory to boast of. Reports are various and uncertain as to their motions since the action. At one time they are on their march to Richmond, and at others that they are at Manchester, on the opposite side of the river. I wish they may persevere in their intention to possess our capital once more, as I think a good account will in that case be given of them, but I rather suspect they are showing such an intention whilst their vessels load with tobacco at Petersburg, and then they will go to the mouth of Appomattox and ship themselves for Portsmouth. Innes with his body of men has joined Col^l Wood, who had another at Richmond that is daily reinforcing, but to crown our hopes the Marquis's troops would reach that post or last night. I had the pleasure of seeing them as they passed, and they are indeed a fine body of men. I anticipate the spirits their appearance must give our militia, and I hope in my next to be able to give you some pleasing intelligence.

EDM^d PENDLETON.

CAROLINE, 7th May, 1781.

DEAR SIR, — I have your favor of the 24th past which contained an in much intelligence. From the various accounts of French and Spanish Fleets they would almost appear to cover the seas in Europe, America and the West Indies, and when the promised spirited exertion of the Dutch is added, we may hope our cruel and haughty enemies are on the eve of being reduced to reason at least; more especially if our present current report should prove true, that the Bank of England has become Bank-rupt And if it is not, our author must lie wilfully, as he affirms he read a full and circumstantial account of it in a London and in a New York paper. I shall be impatient to receive your next paper on that account. Perhaps that may have changed Sir Harry Clinton's purpose of coming southward, since we are told by some officers just come from your city, that he had not left New York.

General Philips in his way up James River at Williamsburg, and all other places, affected to shew great lenity, avoiding all private injury or even requiring paroles from individuals not in arms. The affair at Blandford was not so considerable as I wrote you, the number killed not exceeding ten on either side. Our militia, however, behaved well, since there were not above 500 engaged against 2000 at least, whom they fought for two hours and more than once produced disorder in their ranks. The arrival of the Marquis's corps was critical to save Richmond, which I believe the enemy meant to occupy. They even meditated an attack on the Marquis on this day sen'night, when Arnold was detached with 1500 to cross below and begin an action with the Marquis's left wing, whilst Philips was to cross from Manchester with the remainder of the army and attack his right. Part of Arnold's troops had crossed when Philips was induced to recall him and stop the affair, on information that Muhlenberg was coming down the south side James River with a large body of militia, which, however, was a mistake for he came down on the north, and was ready to have received Philips, if he had attempted to cross. There was then an end to Philips's good humor, and he began with burning the warehouses in Manchester, as he did before and after all those on that side from thence to Islandford, containing, it is said, about 1500 hogsheads. They went down the river sweeping all the slaves and other property, and pillaging and destroying houses, in which business they had got as low as Sandy Point on Friday evening last; our army is marching down on this side, nearly opposite to them, so that I believe they will not call again at Williamsburg. Their plunder is immense, particularly in slaves, of whom the vessels lately up Potowmac got a large number also, and a vessel lately at York Town ship'd 360 from that neighborhood, so infatuated are these wretches that they continue to go to them, notwithstanding many, who have escaped, inform others of their ill-treat-

ment. Those who are not sent off to the West Indies being kept at hard labor upon very short allowance, so as to perish daily. We have a good body of militia in the field joined to the Marquis, so that we should not feel the enemy, if we could bring them to action; but the situation of our rivers whilst in their power will unavoidably enable them by running from one to another, to do much mischief to individuals, and plunder now appears to be their mode of warfare in all parts. I hope their marine dominion will not be of long duration, and then we can fight them on more equal terms.

I have heard nothing respecting Gen'l Greene for a long time. One Lawson I hear is setting out with a body of militia to join him. I wish he had also the Pennsylvania line.

EDM^d PENDLETON.

VIRGINIA, 14 May, 1781.

DEAR SIR, — I was disappointed in receiving no letter from you by the last post, which was the greater, as I was anxious to be satisfied about a piece of intelligence which had been related here by a Baltimore merchant, a particular account of which he affirmed he had read both in a London and New York paper, that is, that the Bank of England had failed. However, as I can [not] find that any other person hath seen such an account, or even heard it otherwise than from him, I conclude it to be some Hum, though I am not able to develope the wit or policy meant by it; unless that he was not a warm friend to America, and intended to sneer at that confusion in our paper which I am concerned to hear happen'd about that time, from some State finesse between Pennsylvania and Jersey: pray how was that affair and what consequences have attended, or are likely to result from it, since we can place very little confidence in accounts which trading men give of money matters.

Since my last, Gen'l Philips after going as low as James Town suddenly tacked about and sailed up to Brandon, where he landed his troops; the Marquis and General Muhlenberg with a body of militia crossed James River, leaving Gen'l Nelson with another body on this side to watch the motions of the enemy, and give him notice if they should recross the river below. But Philips reached Petersburg before him, and Lord Cornwallis being as is said near Hicks's Ford, about 45 miles from that Town, the Marquis found it impracticable to prevent their junction and returned to Richmond, where I suppose he will collect all his force to oppose them. But what his or their united force may be, I know not. We are impatient for the arrival of the Pennsylvania line, since, though our militia are going cheerfully to the scene, I fear they will be but badly armed. The Assembly have adjourned to Charlottesville that their deliberations might be undisturbed. They

will be in poor quarters, and some speak of going from thence to Staunton, others to Fredericksburg. The day they have adjourned to is the 24th.

We have been uneasy about the fate of Gen'l Greene, as his last letter to the Governor mentions his finding Cambden much stronger both in the works and garrison, than he expected to find it, so that he had little to hope and much to fear. Since then we are told that a Mr. Willis is arrived from his camp and relates an action has happened, with the following circumstances: "that a deserter from Greene informed Lord Rawdon his artillery was not come up, which induced his Lordship to come out in force to attack Green, whose artillery, however, came up just before and a battle ensued which lasted 5 hours, when both armies retired and encamped on the ground they had respectively occupied the night before, and Greene expected the fight would be renewed next morning; the enemy however retreated, were charged in their retreat by Col. Washington, who killed and took 250, making up their loss in the whole 600 killed, wounded and taken; Greene's loss about 200." This is Willis's account, who is said to be a gentleman of credit; he adds that a few days before Greene had intercepted about 300 Tories going into Cambden, and killed the greatest part of them.

If these things be true, I hope Greene is in a better way than he and we feared he would be, and I am not able to account for the policy of Earl Cornwallis having left those States in such a situation and come hither, unless he has a mind to add Virginia to the roll of nominal conquests.

EDM^d. PENDLETON.

Col^o R. H. L. declined taking a seat in the Assembly. I am told Mr. Henry is not elected. I suppose he declined also.

Cornwallis is at Halifax. The Marquis has crossed Appomattox above, to march down on Philips. The Militia go to Petersburg on this side.

VIRGINIA, 21 May, 1781.

DEAR SIR, — Your obliging favor of the 1st hath raised my curiosity; yet I cannot but approve your caution, and notwithstanding my keen appetite for news I would rather be the last man in America to know an interesting thing, than that our cause should be injured in the smallest degree by my knowing it first. And I think I told you formerly, that I entertained too high a sense of your honor to expect or desire you to communicate any secrets of your body. It gives me satisfaction to find that European politics wear a favorable aspect for America.

I have read the Pennsylvania law for giving Congress a revenue independent of the individual States, and cannot but much approve the spirit of it, not only as it tends to give more stable dignity to that great Council, but the subject of taxation promises an additional cement to the

union by interesting each state in some degree in the trade of the whole; two doubts appear to me to arise upon the propriety of this act, however, which I mention that you may, if it can be done, remove them and prevent what may otherwise prove some obstruction to the passage of a similar act here, as I mentioned them to a gentleman of our Assembly who meant to be a warm advocate for such a law. 1. The law is perpetual, and as it is in general a dangerous policy to lay such a tax, so it appears to me particularly wrong to do so in the infancy of states and upon an opening trade, when no just estimate can be made of what it may probably amount to, when that trade comes to maturity. I should rather think it should be for a term only when experience may teach whether it is proper to continue, increase or diminish it.

The 2^d objection is to the mode. The law says it shall be "levied and collected as Congress shall direct." Now how can Congress direct and enforce the collection of this money without judiciary and executive powers which may interfere with the internal government reserved to each state by the Confederation. I should think, therefore that the law imposing the duty should point out the mode of collection and give speedy and adequate remedies to enforce the payment to such person as Congress shall appoint in each state to receive it, and to be subject to their disposition, which will preserve their uncontrollable power over the money without the other inconveniences. It might give them indeed some additional weight to have the appointment of the several collectors, but as it appears to me that they must necessarily be the naval officers, I suppose the States will scarcely agree to leave the appointment of them, who are necessary and important officers in many state affairs to Congress. You'll consider these things, and give me your sentiments upon them as soon as convenient.

It is confidently said that Clinton is arrived in our bay, but I give no credit to it; nor indeed can I to anything I hear even from James River. General Philips is certainly dead, and the command is again in Arnold, between whom and the Marquis nothing material has yet happened. How soon they may begin I don't know. Reports as to Lord Cornwallis are various. He has been said to be at Halifax, Hicks's Ford, and even at Petersburg, but now is left at Tar River in North Carolina, from whence he sent Col^o Hamilton and Tarleton to Halifax without opposition. Nay they are even brought to Petersburg, but I can't rely upon any part of it; nor on the reports of Greene's being in possession of Camden, which we have had for two days.

I am told our army are well supplied with provisions at present, and I doubt not but the collection of one tenth of our cattle, lately made, and which are now fatting in the several counties, will keep up the supply through the year. We shall also furnish them with some bacon for change of diet.

EDM^d PENDLETON.

May 28th, 1781.

DEAR SIR, — Since my last I have your two favors of the 8th and 15th, the former have met with a circuitous passage through several post offices beyond me. The noise about the paper money was as weak as the cause which produced it, and proves I fear that people in those parts have more at heart the making fortunes, than promoting the glorious cause we are concerned in. However, it must be acknowledged that our finance hath wanted stability and system; different states will adopt various modes of complying with the requisitions of Congress, and individuals in each will pertinaciously pursue their opinions, so as to carry at one session what they have been over-ruled in at a former, and hence arises that neutrality, so destructive of every political measure. I fear this mischief hath its origin in human nature, and that a change will be difficult. However I think Congress have taken the most promising method to affect it, in appointing this important subject to the sole consideration of one man, whose mind shall be kept free from the distraction of various objects, and from the general character of Mr. Morris the choice of him appears judicious. I cordially wish success to his endeavors.

Our people are made very angry by a report that the Pennsylvanians, instead of forwarding their troops with that celerity which their duty and the situation of things demanded, were throwing out insulting speeches that Virginia was too grand; let her be humbled by the enemy, and such like. What consequences this may produce I know not, but they will be chargeable to the companies of Landjobbers who for their own interests are poisoning the minds of the people by their fallacious publications. I am sorry that line was not forwarder, as for want of them probably the Marquis was obliged to abandon Richmond, which he left on Saturday evening and retired on this side Chickahominy. We suppose this step was occasioned by information that the enemy was crossing the swamp below, and by marching up on the Hanover side meant to cut off his retreat. However we deal in conjecture only, and if the Marquis means to avoid an action at present, it will be probably a prudent measure, since tho' his numbers would be fully equal to the most flattering expectations if they were regulars, it might be too much to risque the loss of his few valuable veterans upon the firmness of militia. Our last account of the enemy was that they had landed at Westover, and were on Saturday between that and four miles Creek, which I believe is about 20 miles from Richmond. They are said to be between 4 & 5000. 12 vessels are lately come up James River, some say they bring Lord Cornwallis's baggage and invalids from Cape Fear, others that they brought troops from New York, perhaps some of each.

A militia man just returned from a tour of duty under General Greene, and who is said to be a man of credit, reports that a few days

after the action of the 25th of April, Lord Rawdon burnt Cambden and retreated to George Town, leaving behind him his own and our sick and wounded. That the Virginia militia being discharged in the evening, stayed all night, and two hours before day next morning Gen^l Greene marched with his army, he could not tell which way, but supposed towards Georgetown. If this deserves any credit, I suppose you'll have an express from the General.

I am glad to hear Mr. Jones is returned to Congress on more accounts than one. I shall write him by this post and hope he'll relieve you from half the labor of corresponding with

EDM^d PENDLETON.

Perhaps my next may be dated from the mountains.

MOUNTAINS, 6 July 1781.

MY DEAR SIR,—I think my last to you was the 27th of May when I prophesied that my next would be probably dated from hence. It was on the day after that, more to comply with the earnest importunities of my neighbors, than influenced by my own judgment or inclination, I took flight from Caroline with a few slaves and necessaries to enable me to exist, if what I left should become a prey to the enemy. Our neighborhood, however, happily escaped the hostile visit hitherto, and I hope will yet do so, unless some reverse of fortune or change of circumstances should change the present disposition of the enemy or the Marquis's army. After the hurry of spirits which usually attend a precipitate flight were over, I have enjoyed some pleasant hours with my friends, amongst others, a few happy days at your Father's, who I was glad to find enjoying fine health, after being many years without seeing him. Tho' I was the less surprised at it, after experiencing the salubrious air of his fine seat, not to be exceeded by any Montpelier in the universe. I wish you would hasten peace, that you may return to the influence of it upon your crazy constitution. In this happy retirement I regret nothing but the dearth of news. Your last favor was the 29th of May. There are probably others below which have not reached me. You have been at much pains to remove my objections to the mode of the Congress duty. I wish they may operate as forcibly upon those whose duty it is to give effect to the measure, as on me, who tho' I think them still founded on propriety in general, must yield to the necessity of giving stable credit to Congress so far as their engagements require, which greatly overweigh in consequence any possible inconvenience on the other side. I am not overjealous of power, but my creed is to withhold from no public body so much as is necessary to their appointment, and give them not an iota that is unnecessary. Upon this rule should I determine was it my province, upon our demand of Congress. It is time however I quitted this sub-

ject by begging pardon of Congress for supposing these difficulties which had been so fully discussed, had escaped them.

You'll probably have by this post a much better account of the enemy than I can give you at this distance: when I last heard of them they were supposed to be between Williamsburg and York, and their light horse plundering in Gloucester. Their intentions whether to fortify at York, where their ships are, or leave us, or change the scene of devastation, not yet discovered. They have had a small skirmish which ended to our advantage, and I am told our militia are full of ardor for a battle.

The profitable trade opened with Spain and the metallic returns give a flattering prospect of having our finances on a better footing, and will soon abolish our paper and all inconvenience and iniquitous speculations upon it, towards which Mr. Morris bank appears to me a promising aid. Our Assembly have stopped the circulation of the old notes, except to the Treasury, and even the new 1 for 40 are not to be issued but by order of the Executive; I wish they could also have avoided the expedient of emitting more State money.

Pray what are the powers of Europe doing? are they holding a Congress at Antwerp? or has the contest between France and Britain whether America shall have a Plenipo there, or be entirely excluded from any consideration in the pacific plan, put an end to it?

EDM^d PENDLETON.

CAROLINE, 23 July, 1781.

DEAR SIR, — My last to Mr. Jones informed you of my return home from a fugitive trip of near two months, which however I spent very agreeably among my friends above, after the retreat of Lord Cornwallis had quieted the minds of people in that quarter. I found my property here had escaped the enemy, though some small depredations were committed by my domestics or neighbors, perhaps both. It is strange that I don't yet know the present situation of the enemy, tho' we hear daily from our army. One day Lord Cornwallis was on shipboard, going to England in disgust; the next going or gone to New York to take the command in the room of Sir Harry, who had sailed for England: at one time his infantry were divided, half gone with the light horse to Carolina, and the other to Portsmouth. Now we are told the whole infantry are at Portsmouth, and the cavalry at Petersburg, a few days ago, on their return from Amelia, where they have been plundering; so that nothing certain can be collected from this loose account. Perhaps these may be thrown out for amusement, whilst they mean to draw the Marquis over James River and then come up Rappahannock or Potowmack, and ravage easily. I should have no thought of their leaving this State, if it were not for an idea

that New York is to be invested by the commander in chief, which may call this detachment to its defence. We have a loose account of an action near Kingsbridge, in which we had the advantage, but no particulars.

Augusta is certainly taken, and Gen'l Greene since his retreat having collected his various detachments, returned upon Lord Rawdon. We have a report (not to be relied on indeed) that they have met and had a warm conflict in which his Lordship had 300 killed, wounded and taken.

It is also said that the Spanish fleet since the surrender of Pensacola has been seen at Tybee, supposed to intend expeditions against St. Augustine and the Savannah at the same time. Our troops from Charles Town are arrived at James Town, and all the privates tho' but few officers, exchanged. The ranks muster thin, many having been induced by the usual artifices of threatening, wheedling and l—y—g to inlist with the enemy, out of whom they have formed a fine regiment which is gone to the West Indies.

I believe the account given in the Pennsylvania Packet of the reinforcement to Charles Town was just, and that they did not amount to more than 1500; those it seems were in very ill humor, and about 60 or 70 soon got killed on their march, the rest became very sickly.

We shall now listen for intelligence from your quarter, as very interesting events are in embryo there. What is become of the European Congress, and the fleets and armies of our allies in the West Indies, Cadiz and Brest, &c.? . . .

EDM^d PENDLETON.

EDMUNDSBURY, 6 August, 1781.

MY DEAR SIR,—Judge of my anxiety at having passed two long-weeks without a line from you or my friend Jones's at so critical a juncture, when we hear a busy and important scene has opened to the north. The disappointment one week has been accounted for by the loss of the mail in or near Wilmington, the other I hope did not proceed from your sickness, as I recollect it was your turn, since I would rather it should have any other cause. Perhaps the danger of the mail may make it improper to communicate any intelligence at such a time. If so, continue your silence, as I would forego that or any other pleasure rather than risk the smallest injury to the cause.

The enemy we are told remain here, their vessels some in York River and others in Mock-Jack Bay. They have landed in York and Gloucester, and are plundering; whether that or a more extensive plan be their design we are yet to learn. In the meantime the Marquis is on the branches of York River, watching their motions, expecting for some time past they intended up Potowmack, or up the

Bay to Baltimore or the head of Elk, and inclining his march northward on that account, to divert which may be the design of the enemy in their last landing.

Nothing to be depended on hath been handed us from General Greene since the collecting his scattered detachments had enabled him to look the enemy in the face. You have probably better intelligence of him than we. Our militia keep the field, and perform their regular tours of duty with alacrity, and I fancy the enemy find recruiting a dull business here. Our crops are promising and I hope we shall be able to feed the army and those who have met devastation from the enemy.

EDM^d PENDLETON.

EDMUNDSBURY, August 27, 1781.

DEAR SIR, — Finding on my return from a visit your kind favor of the 14th with one from Mr. Jones of the 7th and not recollecting which I wrote to last, I determined to pay my respects to both by this post, without expecting an answer but in the ordinary rotation.

We had begun to flatter ourselves with a quiet fall from the departure of the British troops, when we heard of their embarkation, but it has vanished upon their relanding and shewing their purpose of taking a stable post at York and Gloucester Towns. Whether this extraordinary measure was intended to deceive the Marquis into some security which might give them an advantage, or that they really had a purpose of going elsewhere, which was changed by circumstances, must be left to mere conjecture until they or time shall discover their secrets. Their stay, however, must prove either that they think neither N. York or Charles Town want their assistance, or that they would pursue their prospects here at the risque of those. What I know of their and our situation I have mentioned to Mr. Jones, but doubt not you have better accounts of it from camp.

The recapture of the fleet conveying the Statia plunder, is a very agreeable piece of intelligence. I am sorry it was accompanied by one of a very different aspect, the removal of Mr. Necker, whose distinguished abilities and integrity in discharging the most important office in his nation, have been celebrated even by its enemies. However, men are frail, and all courts have intrigues, and from one or both of those sources was his fall derived.

We have been so often disappointed in accounts of fleets coming to America, that I have learned to pay little attention to any report of that kind, otherwise I should think the ships at Hispaniola might make a safe and useful excursion to the American coast during the hurricane months, should they do so they will be welcome guests however unexpected.

The separation and independence of the people of Vermont is a very serious and unlucky affair, which I wish there had not been occasion for Congress to decide on. The people had great reason to complain of injustice, from which they appeared to have no prospect of relief but in a separation from the State of New York, whose government had done them the injury ; and yet to divide a State at the request of some members of it, against the will of a majority, or indeed admitting a power in Congress to divide at all, will establish a precedent that may prove a source of much mischief at some future period. This business like agrarian laws which please the poor and chagrin the rich, will probably be pleasing to the small States and disgusting to the large, and so produce dissensions amongst us. However, as it is ever good policy when evils are inevitable to choose the lesser, these objections may be greatly outweighed by those inconveniences which would attend the rejection of their petition, and may justify Congress in the step they take. A case like this may never happen again ; yet precedents of power especially, are of such a ductile nature, as to be extended to any purpose a majority shall wish. I suppose our friend Etham will be one of the first Vermont members.

The brave general Campbell of our militia, who commanded at King's Mountain came ill from our camp, and died last Wednesday in Hanover, much lamented as a valuable officer and man. Morgan is also gone home sick.

EDM^d PENDLETON.

VIRGINIA, September 10, 1781.

DEAR SIR, — Very little important hath happened here, at least that has come to my knowledge, since the great event of the arrival of the Fleet and army of our good ally in Chesapeake. It was supposed that Earl Cornwallis would on their arrival have endeavored to effect an escape to the southward over James River ; but whether the precautions taken by the Marquis to prevent him, or his confidence in his own strength, or in being timely reinforced, influenced his stay, I know not ; but so it is that he must now abide his fate at York Town, the French troops having landed at James River and joined the Marquis, so as to cut off his passage out of that neck so long as he is deprived of the dominion o'er the waters ; and tho he might cross his army over into Gloucester, where we have a body of militia, he could not that way expect to escape, since tho they are not strong enough to oppose his way in the field, they might harass their march, until a sufficient force could get above them, and take them in that neck ; but this I think they will not attempt, since by such a step they would immediately sacrifice all their vessels, which at present lie up York river above the town.

I hear that a party of militia a few nights ago took a small picquet

and eight light horsemen between Williamsburg and York, since which it is said they have called in all their picquets, and keep their swarm of negroes busily employed in intrenching and fortifying. I suppose they have gleaned all the provisions in that neck; in Gloucester our militia have removed most of the stock and disrobed the mills in their neighborhood, so that they will draw little supplies from thence, and I think can't have any considerable stock. Deserters say they are provided for six weeks only. We hear a large number of men are coming hither from the northern army. Our mills are impressed to grind for them and our allies, but a remarkable drought render most of them in these parts useless. We have accounts from the southward, that General Green's army was moving towards the enemy on the 18th past, which, if true, indicates an increase of his strength or diminution of that of the enemy, since on the 15th. his army was only thought able to act on the defensive. We expect here to have a busy autumn, supposing this is to become the seat of war, since the Commander in Chief is to honor us with his presence; we are daily in expectation of his arrival by land, tho we are told the troops come by water down the Bay; I hope they will not meet with such a disappointment as the Marquis and his troops experienced in that voyage, tho we are told that the enemy give out that a superior fleet will soon drive off the French. Of such a fleet at New York we have various accounts, some say they are 29 sail of the line, others 23 only. If the former and they can all venture to leave that station, I judge that the prior possession our friends have of the Bay would quiet their apprehensions of danger from an attack. But can they venture to draw all their fleet from New York, and leave the French fleet behind them at Rhode Island? I think upon the whole that we must have this army, which will go a good ways towards destroying their American force and give us peace.

The French have Lord Rawdon, two colonels and some other British officers taken on their passage from Charlestown to London.

EDMD PENDLETON.

EDMUNDSBURY, October 8, 1781.

DEAR SIR, — I have your favor of the 18th past and felt the justice of your remark as to the benefits derived and in prospect to Virginia from the presence of the commander in chief and the fleet and army of our allies, whom we are exerting ourselves to feed, and hope they will not suffer in future. A little they have experienced, without murmuring. They meet every mark of respect they so justly merit and great cordiality prevails in the army.

Don't you think our citizens are patriots indeed, who patiently submit to have their provisions seized and paid for with a bit of paper called a certificate, when they might have specie for it from the French?

Some great men evade the seizure and sell, and this will occasion opposition and compel government to take just and equal proportions, which has hitherto yielded to official ease and convenience. These citizens, nevertheless, are the objects of certain cabals your way to do them injustice.

Pigeon Hill, on General Nelson's farm near York, was strongly fortified by the enemy, who gave out they would warmly defend it as an eminence which commanded the town. It was attacked about a week ago, and evacuated with little resistance, as was also another outpost on the river about a mile below, so that their whole force being within their confined wall, may be literally said to be drawn to a point, having little more ground than they can stand on; I mean all their force on that side, for some yet remain in Gloucester, who under the command of Dundas and Simcoe, went out last week in search of plunder, but were driven back with some small loss by the French legion.

We are told our great bomb battery was to begin to play last Saturday, and that sanguine officers promised themselves a surrender in five days. The north and western winds have hitherto prevented the French from passing any ships above York, in consequence of which the British had the command of the river above, but as they were quite inactive, and a report prevailed that their vessels were unrigged, ungunned and unmanned, we have carried provisions for the army down that river to Williamsburg, unfortunately a good deal of flour and corn were lately taken, and increased their stock of provisions.

I am sorry to hear the Spaniards have again mounted their hobby horse, because our good friends must get behind them. However we cannot complain whilst we find our ally able and willing to give us such substantial assistance, that at the same time he can take an airing with another friend. But is it true that we are to reward this friend of our friend (for I believe that is all Spain pretends to) with a cession of such inestimable importance to us? I really thought that matter had stood upon a resolution of our Assembly never to make that cession. I am now told they relaxed it so far as to leave our delegates at liberty to yield it, if they judged it necessary. It is said further that the Court of Spain never desired or thought of it, but it is one of the fruits of the cabal against Virginia, and by their contrivance the requisition was made by your minister to Spain. I always had a good opinion of that gentleman, and wish for the sake of his character as well as other reasons, it mayn't be true; but if it is, his being recalled and sus. per coll. would be a small recompence to the public for such a conduct.

I was in hopes the possession our friends had of the Bay would ere now have produced some vessels, particularly with salt, which we much want; but have not heard of any. Perhaps they may be below.

EDMD PENDLETON.

VIRGINIA, 3 December, 1781.

DEAR SIR, — I thank you for your favor of the 13th. past. Of the territorial cession offered by Virginia I have perhaps already said too much and shall only add that if there were twenty claimers of my land, and each offered a cession of their title without any consideration I should think it common prudence to accept them all, and thereby avoid the disagreeable necessity of deciding which of them was entitled to a preference; nor can I conceive what harm the Virginia cession would have done the United States upon the supposition that New York had a better title. Whether our assembly have taken up this subject, or what they are doing I don't hear, except that I am told they have a great defaulter in a little officer under examination, who is accused of having pocketed £200,000 by shifting certificates and taking to himself the depreciation on them. It is Hopkins who is the Commissioner of the Continental Loan Office and has something to do in our Treasury. Conjectures are various upon the probability of his being acquitted or condemned. The Governor has resigned, probably vexed to see his great popularity so suddenly changed into general execration, for having, by his imprudent seizures, intercepted the specie that was about to flow amongst the people. That measure has proved in other respects most mischievous, a great quantity of beeves being carried below more than were immediately wanted, took the distemper which raged there many years ago, and began to die fast. Instead of killing and salting them up which remained, as would have been obviously right, they were driven off for Winchester to feed the prisoners, and I am told are dying daily and spreading the infection on the road. I hear, but not certainly, that Mr. Harrison, speaker of the Delegates, is elected Governor in General Nelson's stead. I have no doubt but they will pay some handsome compliment to the Marquis so justly due to him, for the important services Virginia experienced from him. And as she was so immediately interested in the great event at York, perhaps the Assembly ought to extend their gratitude in thanks to the General and the army of our great allies who effected it.

I have long given up Deane as an unworthy man whom I thought much otherwise when I served with him in Congress. I thought he was taking some steps injurious to America in an improper commerce, and thought avarice his greatest crime, not suspecting him of apostacy from our cause. There is one circumstance rather against the authenticity of these letters, that in case of a bargain with them they would not have exposed his letters. However, there is no reasoning from their blunders. I do not hear who is Governor of Pennsylvania; does Mr. Reed retire, or is he in any active department? Is Mr. Blair got to Philadelphia? My compliments to him and the others.

EDMD. PENDLETON.

CAROLINE, 19 November, 1781.

DEAR SIR, — I am now to thank you for your favor of the 30th. past. The official returns of the conquest at York make our prisoners much more than was expected, and I think prove that Lord Cornwallis did not make so brilliant a defence, as his former military character indicated. However, any exertions would probably have been ineffectual to any other purpose than increasing his fame and sacrificing the lives of men on both sides. Our other acquisitions were considerable, and I am inclined to think should have been more so, if the generosity of our illustrious general in the terms of the capitulation, had met a suitable degree of honor in the execution on the part of the enemy. As these officers must carry the proof, tho' not the first tidings of this change in their American affairs to the Parliament, I anticipate with pleasure the effect it will have on their deliberations, and the long faces which will appear on the ministerial side of the House. Is it possible they can retain a wish and much less coin a *plausible* reason for continuing such a war?

I find your *brood* committee have at length *hatched* a report, and though it seems probable from circumstances that it may not be agreed to at present, yet what is the consequence? It will I suppose lie on your table and be ready for all the operations of intrigue, party and finesse. Our Assembly had not formed a House when I last heard from Richmond, which gives no good presage of the wisdom of the session. I cordially wish they may disappoint the omen, and verify the old adage by giving proofs of wisdom and stability equal to their slowness. I am sure much is required of them at this juncture, particularly to meet this torrent of unfriendly dealing in a proper manner, without giving hope to the enemy of a disunion, which might protract the war.

As we have not a confirmation last post of the capture of Rodney's fleet, I am afraid it was premature. I am told the Count de Grasse has at last sailed, but hear nothing of the British Fleet, which may be gone out of his way.

We have a loose report that General Greene has had a battle and been defeated in consequence of a considerable reinforcement lately arrived at Charlestown, but it does not come so as to deserve credit any more than one of a contrary nature, that they have evacuated Charlestown.

EDMD PENDLETON.

VIRGINIA, 31 December, 1781.

DEAR SIR, — Since my last Mr. Jefferson's honorable acquittal of the loose censure thrown out at random on his character, hath come to my hand, which I doubt not you'll have published in one of the Philadelphia papers, that this stain may be wiped out wherever it may have

reached. I am assured by a member of the assembly that it was entered unanimously in the House of Delegates, and he believes in the Senate, tho' the clerk has omitted it in my copy.

I am told Gen^l Nelson will also receive a vote of thanks and approbation of his conduct, from a conviction that what he did wrong was imputable to a mistake in his judgment, and not from a corrupt heart. I am satisfied of the integrity of his mind, but whether that should intitle him to more than indemnity, I doubt. However, I have no uneasiness at their going further.

The business of finance hath at length ended in a bill for funding all our paper, which ceases now to be a tender, and is to be brought into the treasury before October next and burnt. Certificates are to be given in specie at 1 for 1000, payable in 1779 (*sic*) and to bear interest in the meantime. All former payments are to stand as made, but a scale of depreciation is fixed for adjusting all subsisting money contracts. A rider was added by the delegates to compel the receipt of all paper tendered and refused, but it was thrown off by the Senate, as mounted to serve the particular purpose of a Delegate.

The scheme of taxation is one per ct. on lands, 10/ on slaves, 2/ on horses, and 3^d on cattle, also 1 per ct. on all goods imported. The law for empowering Congress to lay their tax is suspended, upon information that other States had not acceded to it. The Governor, however, is empowered to give it force again, upon receiving proofs of the agreement of a majority of the States to the measure. They have thanked all the officers, and particularly the Marquis, to whom they have voted a bust, but have done nothing in the recruiting business or Western country, and it is thought will not, as they mean to adjourn in a day or two, if they can keep a house even for that time. Mr. Jefferson, I am told, declines coming to Congress, nor do I learn that they purpose choosing another in his room.

EDMD. PENDLETON.

Who commands at New York? Does Sir Harry, continue, or obey the order for his recall?

VIRGINIA, 28th. January, 1782.

DEAR SIR, — I have your favor of the 8th. The objections your bank was to encounter had not occurred to me, since if such a measure was useful, it seems necessary that Congress should have power over the regulations which were to direct its operations, it being of general and not local concern, and as the confederation had not given such a power, the medium adopted appears to be the proper and indeed the only resource: to call for the individual confirmation of the States, to the granting which I see no possible objection, but on account of the restriction in your scheme upon the institution of State banks, which at

some future day may become useful and necessary. Whatever evils may have been experienced, and ever will be, from a redundancy of paper credit, yet my opinion is that the history of all countries as well as the reason of the thing prove that the circulation of a moderate quantity of paper may be made in every country without danger of depreciation and with many advantages to commerce and business even superior to the precious metals. Its locality, the principal source of objection, has its use in preventing that stagnation in a circulating medium, which in the flux and reflux of the metals will unavoidably happen, especially since the merchants have practiced the import and export of these as a subject of trade, as they rise at one market and fall at another, instead of a mere medium or representative of balances in barter. Of all kinds of paper circulated as the representative of money, that of a bank has undoubtedly the preference, because it has a real constituent, a stock of cash deposited and kept always ready to take its place when any foreign purpose shall make it necessary; whereas if we were asked what our late paper represented, candor would compel us to answer, what it has come to, nothing. I can foresee that when the mass of paper is totally annihilated, and before a general free trade takes place, we may be distressed for a sufficient medium of commerce, and might prefer a bank scheme to any other, and why should we be restrained? If it be said that the States might increase their bank so as to answer the purposes of all the States in the union, I answer that a general and equally valuable circulation of bank notes can only prevail to a certain distance from the bank; as the difficulty of access to that is increased, so will the value diminish, till a total stop is put to its circulation. For instance, suppose a man at Charlestown with a bank note applying to a foreign merchant to purchase goods, he would refuse it, since in vain would the holder say you may have gold for it by going to the bank, since that would require another voyage, not a very short one, to accomplish. In Philadelphia the note would be taken with avidity. The notes of the Bank of England circulate indeed to a great distance, but so does the trade which centers in London; and yet that Bank has no such exclusive restrictions. A multitude of other banks subsist, and with other mediums supply all occasions of commerce without experiencing inconvenience. That is not the case in America. Philadelphia is not nor ever will be the center of its trade, tho' a considerable branch, and remittances from the different States will be much oftener wanted to other parts than to that city.

I hope the States will comply with the recommendation respecting the forfeiture of British goods, since 'tis a most ungrateful and impolitic abuse of the kindness of our allies to throw the money they so generously supply us with, into the hands of their and our enemy, to the

neglect of their trade. Wisely and prophetically did honest General Gadsden say to Congress in 1774, "Take care, or your liberties will be traded away."

By letter just received from Genl Greene's camp of the 28th. past, I find he was alarmed for his situation, having certain and authentic accounts that the Cork fleet with 4 regiments of infantry, and two of dismounted dragoons, victuallers and store ships, and 3 regiments from New York, were seen on the coast going in Charles Town, which would give the enemy a superiority that would oblige him to abandon the country to their ravages, or sacrifice the remains of his brave little army — a dreadful alternative.

EDMD. PENDLETON.

VIRGINIA, February 11, 1782.

DEAR SIR, — I have missed two posts to get a letter from you, which proceeds from the Susquehannah being frozen which stopped the passage of the post; the mail, however came to Fredericksburg last week, but only brought an old letter from Mr. Jones.

We have been amused with contrary reports concerning the arrival of a large reinforcement to the British Army at Charles Town, Genl. Greene's account of them amount near 5000, has since been contradicted by officers from his camp, who say no troops came from Ireland, and all who got there were the 3 regiments from New York. I yet think these gentlemen were under a mistake, and that Greene's relation was too well founded. We are just now told by a gentleman from Philadelphia, that the enemy had certainly evacuated New York. I am impatient to have a confirmation of this, and to hear their destination, which I suppose either to the Southern States, or to the West Indies. We are just going to celebrate this anniversary of the General's birth, and so cannot add but that I am &c.

ED. PENDLETON.

VIRGINIA, 25 February, 1782.

DEAR SIR, — I have your favor of the 7th. and regret the irregularity of the post which has deprived me of some and delayed others of your agreeable letters. However I comfort myself with the reflection that the frosty season is nearly over, and that our correspondence will soon become more regular as well as interesting. I shall anxiously expect every future post to bring some accounts of the effects in Europe of the great event at York, which I think the first arrival from that quarter must certainly bring. Nothing of the sort has yet reached us. We have a loose report of a severe engagement between General Greene and the Enemy, in which both sustained great and pretty equal loss, but it wants credibility and probability. We are making our drafts to reinforce him.

I wish you out of the thorny tract into which the Vermontese have led you; I fear they are more like to produce that kind of fruit than olives, and may require severe amputation. Why should any alteration be made at present in your scale of contribution for each State? Since it is in its nature temporary and subject to adjustment according to that rule which shall be established when peace shall afford time and opportunity for a proper investigation. The attempt now to change the rule which can't be made definitive, if it is not suggested by some party views, is calculated to produce dissensions, of which we have enough. If indeed the rule could now be finally fixed, it might be probably done with more temper than when we are freed from the dread of a foreign enemy, and I am persuaded that it would have been more justly and peaceably settled in 1776, as was intended by Congress the year before, than it can be now, or at any future period, as the true spirit of union was then more predominant than it has been since, or will be. But as it was then put off, and a mode adopted subject to a future account and regulation, I cannot think it prudent to change that mode for another temporary one. In the meantime, I do not see why the accounts should remain unexamined; the several articles furnished by each State may be examined by the vouchers and fairly entered in a general account with that State, and be ready whenever the proportion is fixed, to form the aggregate sum to be proportioned, when in one article each state may be debited for its share, and the balance discovered. If this minutiae of the account is neglected till the end of the war, I prophecy it will never be settled, but like the contents of the Irish treasurer's waggons, will affrighten Congress out of the attempt, especially as it will probably be the interest of some states to drop all accounts and to burn the books, as the saying is. Since I am reduced to the borrowing an expression from old Boniface, it is time to stop, and tell you that I am &c.

EDM^d PENDLETON.

VIRGINIA, 11 March, 1782.

DEAR SIR, — I am to thank you for your favor of the 25th past, in which you have removed my objections to the bank scheme by proving that it was founded in error. The King of Britain's speech and its doubted echo, do not breathe the spirit of peace with America, yet I think they tread that ground very tenderly, and suddenly fly off at a tangent to the East Indies in search of a subject of consolation. If your intelligence be true respecting the present state and prospect of their affairs in the West Indies, I think no success they can have in the east will save them from the necessity of peace.

I have a letter of the 24th January from Gen^l Greene's camp at Jacksonborough, 36 miles west of Charles Town. All was quiet, and

no reinforcement to the enemy. What gave rise to the report of such, was the return of some convalescents who had been to New York to better their health. The Assembly was then sitting and had passed a law for confiscating British property, and that of the Tories who had joined and remained with the enemy. Most of those of note who had taken protection, have joined us, and some of the refugees to Charles Town have shipped themselves and property to Britain, an omen that they at least have small hopes of being relieved. 30 sail of ships under convoy of a frigate had just sailed with that sort of cargo.

I have no doubt but the debates on the speech and addresses must be entertaining. The event at York was too good a subject for the opposition to gall administration with, for them to let slip, and no doubt they shone in it, though they cut no figure in the vote.

EDM^d PENDLETON.

VIRGINIA, April 15, 1782.

DEAR SIR, — I have your favor of the 2^d and agree with you that the expostulations of the friends to Virginia will be properly interposed, and the clamors of her enemies well applied, if both together will effect the rousing her to proper exertions for recovering her consequence in the united scale. The executive have paid attention to this important subject, and having an empty treasury have circulated a request for the prompt advance of half the land tax payable some months hence for the purpose of recruiting our line. Our County, which yields to none in alacrity on such occasions, appear willing to comply, but from conversing on the subject with several gentlemen, it is the general opinion that there is not in the county specie sufficient to pay $\frac{1}{4}$ th of that tax, and I see no prospect of our being able to pay it at the time, tho' specific commodities where the alternative is allowed (as is the case in all but the land tax) may be had. The little cash which is picked up by us at the distance we are from the French army, immediately goes to the merchants at Port Royal or Fredericksburg, who chiefly trade on commission from the Eastern States, whither I suppose it is sent, for we see it no more, very few of them offer to buy our commodities, and when they do, 'tis at such a price that only makes us angry. Tho' there is some reason for complaint against Virginia, yet the clamors are carried to excess in respect of her line; she has contributed more than her proportion of men, and formerly devoted herself to exertions in the cause, to the neglect of trade, which other states pursued with avidity not consistent with their proportion of duty. This circumstance which enables them to vaunt and show away now at the 11th hour, prevents the present resources of Virginia to recruit her line when by an ill-judged inclination to save Charles Town, a respectable corps of

them were lost; however we must bear these insults with patience till time shall enable us to prove that the resources of Virginia, tho' they can't be called forth at any moment, are great and permanent, and that we never want inclination to employ them for the common interest.

Reports continue of the evacuation of Charles Town, and the last is said to come from the frigate arrived as an express from Count de Grasse to C^t Rochambeau, with the additional circumstance of the troops being carried together with a detachment from New York to the West Indies. You'll have a better account of these things than we can have, as also whether there be grounds of truth in other accounts circulating here, that Jamaica and Antigua are both invaded by our ally, and their troops here called thither, at the same time that the Marquis d' Fayette is arrived at Boston with 4000 others.

Mr. Jones tells me he is coming away and the future burthen of my correspondence will fall upon you. Should any letter to him reach Philadelphia after he leaves it, you'll consider it as addressed to you. Our Elections run much into new members, amongst others are Monroe and John Mercer, formerly officers, since fellow students in the law, and said to be clever. The Attorney might as well have stay'd with you. The General Court sat but six days on criminal business only, and I am told very little will be done in the other courts the approaching terms. Our Treasurer, Col^o Brooke, died suddenly last week, I suppose with an apoplectic shock. I have not heard who is his successor.

EDM^d PENDLETON.

VIRGINIA, 22 April, 1782.

DEAR SIR, — Taking up the pen to acknowledge the receipt of your favor of the 9th. an idea struck me that I had written to you last week, again transgressing the routine which intitled Mr. Jones to that letter; should it have been so, and he then and yet remaining in Philadelphia, pray present him my compliments, and tell him it was the unintentioned defect of a bad memory; perhaps I ought rather to apologize to you in giving you more trouble than was your share.

I am sorry fortune sent the frigate into Rhode Island instead of the Chesapeake, as her cargo is a scarce commodity here; however her escape and safe arrival any where, is matter of joy; as is the account of her companions from Brest, of whom I think we shall soon hear something agreeable. The discovery of a mistake in the capitulation of Brimstone hill pleased me much, as the copy I first read, corresponding with that of the Spaniards in Florida struck me with astonishment, which almost shook my faith and confidence in our noble ally, which their liberal and generous conduct however preserved, and made me

suppose some latent cause had produced it rather than an intention to let them loose upon us to whom they had given so very material assistance. If the omission was a designed fraud at New York, it was a cobweb artifice of an hour, too contemptible almost for Hottentots.

I am glad the trade intended to be commenced under cover of flags to supply the prisoners is so early detected. I believe it was pretty extensively carried on here, formerly at Charlottesville, and tended to poison the minds of the people in that neighborhood by the circulation of those charms, specie and British goods. Pray what is the effect of the discovery? Does it forfeit the vessel and whole loading, or only the unlicensed goods? Or rather do Congress mean to insist on the former, which I fancy the laws of nations intitle them to, or be content with the latter. Perhaps I say Congress improperly, since it may be the State of Pennsylvania who are to determine upon it. It may be well, should any come here, to have uniformity in the decisions upon the subject. Governor Rutledge and Col^o Jervais passing lately to Congress, I am told have contradicted the reports of the evacuation of Charles Town. From them you'll have had an account of things in that quarter, about which we have had many conjectures and dreams, the amusements of a day.

Mr. Jacqlin Ambler is our treasurer in the room of Col^o Brooke. Empty as the strong box is, I am told there was a warm contest for this office, and Mr. George Webb is much chagreen'd at the disappointment of his nephew Mr. Foster Webb, a clever youth in business, but too young for the dignity and importance of that office. Mr. Ambler is well esteemed and I think will be confirmed by the assembly. Some elections since my last seem to mend the representation, which I hope will be better than I then feared.

You'll probably hear that in Caroline we have chosen a Tory, and other epithets added to it in Mr. Gilchrist of Port Royal. He is a *Scotch man*, "the very head and front of his offence hath that extent, no more." Against which we have only to urge in our justification that he came from that country a youth, has been in Caroline upwards of 40 years, married and realized all his property (which is very considerable) in the County, and for upwards of 30 years has been an active, vigilant and upright magistrate, as well as of irreproachable life in the character of a private citizen, which 19/20ths of the County (foolishly it seems) thought sufficient to purge the sin contracted by his birth in that hostile country.

EDM^d PENDLETON.

VIRGINIA, 13 May 1782,

MY DEAR SIR,—The last of your favors I have to acknowledge is that of April the 23^d, a subsequent one I missed hitherto, as I was not

returned from Richmond when the post rider passed my house, and he carried it there; but I had left that place before his arrival, and must wait his return for the pleasure of receiving it. I am however in more anxiety for your next as I expect in that confirmation of a piece of news which has been brought from your city, that has almost intranced us, no less than our darling Independency having been acknowledged by Parliament: a measure so pleasing and important, and at the same time so unlooked for at this juncture when the ministry had menaced a more vigorous prosecution of the war than ever, that we scarce can give credit to repeated assertions of its reality, by several credible passengers from thence, and I must wait two days more till I shall have from you an account I can depend on. If it be so, and a general peace not in treaty, it will become us to be on our guard, since they must mean whilst continuing the war against our good ally, to try every art of corruption to detach us from them, and endeavor to seduce us into a separate peace, a more certain destruction than their arms could ever have brought upon us; but on this head I am not uneasy, since it being impossible that any friend to America can make a proposition of that sort, I hope the uttering such a sentiment will be considered as marking the author for an enemy, and stop his influence.

Whether this great event has taken place or not, our eyes must be turned to the West Indies, as the great theater for playing this campaign; whether it will be a real tragedy which may decide the fate of the war, or a repetition of the farce acted for two or three seasons in the British channel time must decide; in the former case we have much to hope from the superiority of our allies. . . . ¹

VIRGINIA, 20 May, 1782.

DEAR SIR,—Your favor of the 7th brought me the debates in Parliament on which I suppose had been founded the story mentioned in my last of their having acknowledged our independence, a weak ground indeed, but yet I conclude it is all they had. I wish you had given me your sentiments upon it, perhaps they might have placed the transaction in a more favorable light than it now appears to me in, which is that of a mere tub thrown out to amuse that whale, the present dangerous spirit of the nation, in hopes time may occasion it to evaporate, and ministry may still pursue their beloved object: for what does this last proceeding amount to, more than a resolution to suspend for a very precarious time active operations in America, that they may be more at leisure to make effectual war against France and Spain in other parts? Oh yes, they are to make peace with us, and we hear that General Carleton is arrived with the necessary powers: what do they mean by talking of peace with us, and vigorous war with our

¹ Balance torn off.

ally with whom we have solemnly engaged to make it a *common* cause? Are they encouraged to this insult by any former instance of our perfidy, the tardiness of our ally, or the ill success of our conjunct efforts? Let the unshaken firmness of America, the unbounded generosity of France and the events of the war answer. This farce of peace then is only resolvable into that amusement before mentioned to allay the present ferment, without quitting the war; let them take care however that it don't recoil upon them with double force at some future day, and let us not relax in our preparations for repelling any attack which may be meditated. I had yesterday from Richmond an account of a great naval action in the West Indies said to have been taken from an Antigua paper, the result of which is told me in two ways; by one the French had 4 line of battle ships taken, and two sunk, according to the other only one was taken and one sunk, agreeing that Count de Grasse's ship the *Ville de Paris* was taken. The story is that the French fleet of 31 sailed to join the Spanish fleet, and were met by the British of 33, which they were compelled to engage to give the transports under their convoy an opportunity of escaping, the paper is silent whether that was effected, but it is said the French commandant at York has written the Governor that the transports were safe, and speaks of the action rather as a *bagatelle*. I have hopes the Antigua Rivington may have exaggerated the British advantage, but fear the loss of that valuable officer and ship is too true. I am impatient to hear the certain account and whether the French formed the junction with the Spaniards after the action. Mr. Tyler is speaker of the Delegates in opposition to Col^o Lee. . . .¹

VIRGINIA, 27 May, 1782.

DEAR SIR,—Your favor of the 14th conveyed a very unexpected piece of intelligence in the entire revolution of the British ministry, an event which I once thought probable in the course of the struggles for the loaves and fishes, but in which the old appeared about the beginning of March to be gaining ground. The political conjectures here are busy, and much divided whether this change tends to peace or a more active and better directed war. As it is said Lord Shelburne is to direct the Cabinet and his opinion hath been uniform against our independence, the prospect is bad. But as the spirit of the nation appears to be for peace at all events, and this spirit alone forced them into their present offices, I think they must adopt the measure, I have no doubt but they will endeavor to detach us from our allies by every seducing attempt; but when they discover the spirit of Congress, firm to its engagements and resenting even the idea of the least departure from them, I think they will open a treaty that shall include our

¹ Balance of letter cut off.

allies, and yielding the great point to us, put an end to a war the nation seems so averse to, unless some flattering circumstances in foreign treaties, or success in arms, should give a turn in their favor, of which there appears little probability, I am happy to hear, even from our lowest class of people, a becoming resolution not to purchase the peace they ardently wish, at the expense of breaking faith with our allies ; and all approve what you recommend, a preparation for continuing the war to advantage, a conduct the most proper, even if we had a much better prospect of peace than we have, since it is best to treat with arms in our hands.

If it shall become the *inclination* of the crown to acknowledge the independence of America, I imagine there will be little dispute about its *Power*. To remove the shackles with which Parliament had bound the prerogative to make peace and war, was the most constitutional and polite way of doing the thing, as well as the most likely means of reinstating the king in the affections of the people, since peace will thus appear to be his act, a circumstance he will probably pay some attention to now that he is in the hands of a Whig ministry.

I hear nothing that our Assembly have done, but the refusing permission to some vessels which came from New York with passports from Congress to load tobacco under some contract with Mr. Morris, except so far as may answer the engagements of our commercial agent. What reasons influenced this negative I have not heard, but they must be strong to outweigh the respect due to Congress, our obligation to support the credit of the Financier-General, and our want of specie to support our part of the war. I wish resentment for the ill treatment we have lately experienced at Philadelphia may not have entered into the deliberations on this subject, though I have heard nothing of the sort. What will those men have to answer for who for their private emolument have fomented these divisions. I am told a petition is circulating and signing in the western country addressed to Congress and requiring to be a separate State, to which many there are very averse, which produces quarrels and bickerings amongst them. I wish our Assembly may turn their thoughts to the subject and endeavor to counteract the agents of this mischief, by a plan for administering justice and diffusing the other benefits of government to that remote region, until they shall be in a state of acting for themselves without injury to us, and let us separate by consent at such a period, remaining good neighbors. I want to hear the propositions Mr. Carlton hath to make, and the mode of conducting it as a matter of curiosity, more than from any hope of good to be expected from it. It was curious enough to want his Secretary to come to Philadelphia as a *spy*, or perhaps in a more dangerous employment.

EDMD PENDLETON.

VIRGINIA, 17 June, 1782.

DEAR SIR, — Your favor of the 4th brought a confirmation of the unfortunate issue of the great naval conflict in the West Indies on the 12th of April, unless we can suppose Adm! Rodney's letter spurious, no features of which I am able to discover, unless it be an uncommon modesty, for which they have not been very remarkable in such narratives in the course of this dispute. We are yet told from Richmond, as handed to that place from Ct. Rochambeau, that de Grasse is not a prisoner tho' they have lost the ships mentioned; but as Rodney's letter as to that point seems confirmed by the account brought to Baltimore by the vessel from Hispaniola, that the squadron, *late* under Ct. Degrasse was to be commanded by Vauderille I think that valuable officer is a prisoner; if this Baltimore account be true, I think we may soon hope to hear something agreeable from Jamaica, which may balance our former misfortune.

I have a letter from Gen'l Greene's camp of the 18th post, which mentions the embarkation of 2 regiments, near 1000 men, from Charles Town on the 4th of that month, supposed for Jamaica. From whence I conjecture that the preparations at New York are for conveying troops on the like errand, unless they have some plundering plan to execute in America. There appears no intention in the garrison at Charles Town to evacuate it, or commence offensive operations. My poor nephew, Judge Harry, is miserable in his captivity there, confined in the Provost, afraid to take the air of his window lest some refugee should be at hand to shoot him. Gen'l Leslie has hitherto refused his parole, altho' Gen'l Greene has offered to pledge himself for his performing the terms of it; the present behavior of the refugees might satisfy Leslie of the propriety of his breaking his former parole, if his letter to Lord Cornwallis had not been satisfactory. He was in bad health when taken, so that I suppose his situation and the approaching hot season, will soon put an end to all disputes about him, and gratify the wishes of his enemies, unless no death but that by their own hands will do so.

We have had publication of the States General having acknowledged our independence and recognized Mr. Adams as public minister. If they have any foundation in truth, I suppose they only mean that the Province of Holland hath acceded to that measure; but of this I doubt as you only mention that of Friesland: the whole was in a probable train, if the affair of April 12th has not interrupted it.

Your judicious decision upon the distinct powers of Congress and the State respecting the flags and passports for carrying tobacco to New York, is unanswerable, and I feel the propriety of our Assembly's joining in the necessary concert on this occasion, calculated to furnish a market for our tobacco, which we much want, and save so much specie to be sent off in discharge of our Continental proportion of expence. The

principal objection (and what I understand influenced the Assembly) was a regard to our noble ally, who 'twas thought would see with resentment our tobacco going to the common enemy by consent of the governing powers, a circumstance we cannot be too attentive to, from every consideration of justice and gratitude; but besides that the alternative of remitting the very money we possess from their generosity, could not be less displeasing, it is to be observed that they in a manner consented to this measure, when in the capitulation at York in which their general had a part, the British merchants were allowed to dispose of their goods here and of course tobacco must go to pay for them, since that was the only means. I heard a sensible member say that he would have consented to the measure, if the French minister had been consulted and approved it. The price (tho current here) was another objection, for say some gentlemen if our tobacco must go to the enemy, why should not we, rather than the United States have the whole price, which the enemy are willing to give. The very money lodged with M^r Morris was offered to our governor for tobacco at 30 / a hundred, provided this passport could be obtained to carry it to New York, and merchants here have declared publicly that with such a passport, they would give 40 / sterling. This is indeed a serious objection, for if in consequence of this restriction in trade we are to submit to a very low price for our staple, and must agree to waive it whenever Congress shall propose to do so, for the interest of the United States, we may easily suppose without breach of charity, they would soon make their financier a merchant to purchase up all our tobacco; and whether they would in such case continue disinterested and proper judges to exercise the power of flags, is pretty easily determined. In a general view therefore such a proceeding could not be approved, but the inference is that in future we should avoid all occasions of this sort, by either making the trade free and open, or not allow it in any case. As to what is past, we purchased the goods under a public and authorized capitulation, and are bound to pay for them; we must do so in specie or tobacco; it is more convenient to part with the latter at the current price than the former, and should have been willing but for the prohibition, to have let the C^t carry the tobacco anywhere and make their profit. If Congress think they can without injury to the public allow the tobacco to go to New York, and take the profit the merchant would otherwise have, it would seem that Virginia is not injured, and the Union benefitted. But here lies the rub. If Virginia in payment of a debt to the enemy contracted with the approbation and under the sanction of the States, can avail herself of an high price for her produce, and Congress see no injury in exporting that produce (for this is admitted in granting the passports) why should they withhold their sanction to the export for the benefit of Virginia and compel her to purchase passports, at the price of the whole profit? Is not this making a merchan-

dize of congressional powers? I write my thoughts just as they occur, and perhaps (like they say of the Assembly resolutions) my reasoning may be at variance with my opinion. Would not a compromise be most equitable? Let the passports stand, and be assented to here. Let the States have the benefit of the profit as far as the money goes lodged with Mr. Morris (for that was gone from the State), and let Virginia have the best price she can get for tobacco for the residue of the debt, under the knowledge of these passports, and so let it end. I have given you too much trouble on this occasion and intreat y^r pardon. I am happy to hear the former delegation to Congress is continued, as I suppose Mr. Jones and Mr. Att^o have agreed to return.

EDM^d PENDLETON.

VIRGINIA, 1 July, 1782.

DEAR SIR, — I am sorry to find by your favor of the 18th past that the southern mail had been made prize of, and probably carried to New York. I don't remember the contents of my letter, but dare say it can produce no injury, public or personal, unless it be such to myself to be detected by those not so indulgent as my friend in being a dull unmeaning correspondent. If it had contained asperity of expression towards them I had been the more pleased with it. However, such as it is, let them make the most of it.

Nothing amazes me so much as that we should be so long without a certain official account of the engagement in the West Indies, about which people here continue divided in opinion, and the event is the frequent subject of wagers: we are told that Mr. Harrison, your Commercial Agent, in that quarter, is lately arrived, and no doubt brings some account which may be depended on. They tell us a strange story from Baltimore, that after the junction of the French and Spanish fleets at Hispaniola, they again separated and were gone, no one could say whither.

I can't say whether our Assembly have adjourned, nor what they have done? They were to have ended their session on Saturday, but did not, I believe. I fancy they have passed a law for raising our men, most other important bills I am told were put off till next session. We have had a long drought, yet our corn has suffered less than we expected.

EDMD. PENDLETON.

CAROLINE, 29 July, 1782.

DEAR SIR, — I am sorry to find by your favor of the 16th that the robbers of the mail seem to be a regular trained band, who may probably return to their station on this side Philadelphia, to divert the attention of those who may seek them. Should this be the case, they

will have a bad bargain in mine, not worth the trouble of reading. The report of the burning and evacuation of Charles Town had reached us before yours came to hand, but I believe it came from the southward. Accounts from North Carolina speak of it as a thing in agitation rather than done, I mean the evacuation, for they say nothing of the burning, which I hope is not true.

I am sorry poor Asgil is at last likely to suffer for another's crime; however, the sacrifice is necessary, and just on our part, let them answer for the misapplication of the punishment, who alone might have saddled the right horse.

The introduction of General Carlton's maxim at this time probably looks forward to an important event, in which I always supposed the interest of American loyalists would make a considerable point of discussion. I wish he may prove prophetic in the period in which that event will take place, tho' perhaps we may differ widely in the grounds of his hopes. I am sorry for his proposition for exchanging prisoners in a mode which would enable them to employ them against our allies, and appropriate others to the war here, as it betrays an opinion on our part that they may still insult our understandings with impunity, if not with hopes of success.

My nephew, Mr. Edmund Pendleton, Jr. has lately lost a young negro man about 22 years old, five feet, eight inches high, rather thin made, is a little bow legged, and has a down look when spoke to. He run away last summer, and having plundered a party of troops, they whipped him so severely that he lay up for two months, and retains the apparent marks of it on each shoulder. He reclaimed him twice from the French troops as they passed, and therefore suspects that he finally rode ahead of them in order to join them in Maryland and Pennsylvania. He stole a fine horse belonging to a M^r Allan, and a valuable mare from a neighbor, but I can describe neither. Will you do me the favor by application to Count Rochambeau, or other French officers, to endeavor to recover him, if he should have joined them, and in case you succeed to have him confined in gaol till my nephew can send for him, unless you can sell him for £200 specie, which though much less than he would sell for here, my nephew would rather take than be further troubled with him. The fellow's name is Bob. I have not described his dress, as he stole variety of clothes from different people. I would not have troubled you with this request, but knew not how otherwise to get the application made.

EDM^d PENDLETON.

VIRGINIA, 12 August, 1782.

DEAR SIR, — Not having the pleasure of a letter from you last week, and little interesting intelligence here, my letter, as too frequently hap-

pens, will be a very dull one. The French fleet hath left us, but the port it sailed from, as well as its destination are secrets to us. One of their frigates hath sent in a sloop of war taken from the British off our coast. Savannah is certainly evacuated, which I consider as a prelude to the abandonment of Charles Town.

Pray is it true that the Dutch have a large fleet arrived at Surinam? And did they on their passage make prizes of 4 British ships of the line and 4000 troops bound to the West Indies? Such is the agreeable news our printers have given us, but not such proofs as are satisfactory.

The torture of Col^o Crawford by the Indians to the westward I suppose was in revenge for the massacre of the poor Moravians by our people some time ago; yet resentment for this will take place in our back people, and perhaps continue for years a scene of mutual bloodshed.

A light rain or two which has fallen since my last have been of some service to our corn, but not sufficient to relieve us from our apprehensions of want in that article. A short crop of that and tobacco, will I believe be inevitable, and yet the merchants talk of giving us but two dollars pr. C^t for the latter, which some necessitous people take on Rappahannock. On James and Pamunky Rivers they give 20/.

EDM^d PENDLETON.

VIRGINIA, 19 August, 1782.

DEAR SIR, — I thank you for your favor of the 16th and for your promise to endeavor to reclaim my nephew's runaway slave: the circumstance you mention will probably prevent the sale of him if recovered, unless any of the French officers should take a fancy to him and purchase. I am told the Pennsylvania law has guarded against runaway slaves claiming the benefit of manumission by coming into that State. Policy makes such a regulation probable as well as justice, since the latter would restrain the making their State an asylum for their neighbor's property, and the latter forbid such an increase of these people upon their hands, who I am persuaded will be found not the most desirable kind of citizens. We have heard the slave was with the French army at Baltimore, and a man is gone thither after him; if they had removed before he reached that town, he would pursue them, and I doubt not if he came to Philadelphia, and applied, but he had your assistance.

We have nothing from the southward since my last but an entertaining anecdote respecting Gen^l Wayne, who 'tis said suffered himself to be surprised by a body of Indians, to whom he abandon'd his camp; the sight of the cannon and tents standing impressed on the minds of the savages an idea of our army's having gone off by stratagem and of their speedy return. In this tremor young Parker (who had rallied

and marched back 25 infantry and 15 cavalry) attacked them, and they fled with precipitation, leaving not only our camp, baggage, &c. unhurt, but about 500 horses loaded with skins and furs, their own arms and other things. I am impatient for your next favor since I am told Genl. Carlton hath at length broke silence and communicated to Genl. Washington a convention of ministers from the belligerent powers at Paris, who had nearly settled the preliminaries for a general peace, the great outlines of which, particularly, American independence, the restitution of places taken, and the rights of the Fishery had been adjusted and settled. We were no sooner possessed of this agreeable intelligence than a gentleman passed us said to be just arrived from Europe, and who tells that things were indeed in the above train at Paris, when an account having reached London of Adm^l Rodney's success, a courier was despatched to Paris to stop the negotiation, and the convention broke up. In this uncertain state rests this great and interesting point. Surely the British ministry would not suffer so good a work on the point of completion to be stopped, because in the precarious events of war they happened just then to have gained some advantages, which they might soon lose with high interest. Be this as it may the crisis is important, and my anxiety on fire till I know the event. May it be peace, provided it be a just and liberal one, which may give it a long duration.

EDM^D PENDLETON.

P. S. [*Unimportant.*]

VIRGINIA, 26th August, 1782.

DEAR SIR, — Your favor of the 13th gives great hope that peace is approaching fast. There are some circumstances unfavorable, such as the attention in the exchange of prisoners to their soldiers being at liberty to serve against our allies immediately, and against America after a year, and Gen^l Carlton's declarations convey an idea so flattering as to create suspicion of their sincerity. Yet the terms, after the voluntary recognition of our independence, appear such as might be reasonable to all parties. For as to our part, as an individual, I declare my sentiments not to hesitate in restoring the confiscated property, either upon the ground of mistake in the original measure, or that the value of them bears no kind of proportion to the inconvenience of continuing the war; even the expence and disappointments in trade would soon exhaust that subject, but I consider the life of our valuable citizen as greatly overbalancing the whole of it. It would therefore be my opinion to be as prompt in our concession to this, as Britain was yielding the great point; and as to the fishery, I suppose we do not require more than is offered. So that if our allies are satisfied, I see nothing in the whole prospect to interrupt the negotiation or prevent

its conclusion. However, we should never lose sight of the caution impressed by the experience of all ages, to increase rather than relax our preparations for war to the last period of the treaty.

We have been amused for some days with a report of a large fleet in our bay, and a heavy cannonade on their entry, which is said by others to be without foundation. How it is, I can't determine, nor was it ever said whether they were friends or enemies: three or four British deserters have appeared on James River, listed several slaves whom they armed from a magazine in Goochland, and then set fire to it. We have caught one of the slaves, who says they intend to destroy other magazines. A party is after the whole, and 'tis hoped they may be taken soon.

It is my opinion that it would be wisdom on the part of Britain to yield Canada as a 14th member of the union, since the event at some future period is more than probable, and a war may precede it; yet I cannot but consider the spontaneous hinting of it in the manner it has been done, as having a deep insidious intention on our integrity. To decide what would be right on that head in the treaty, independent of the interest of the contracting powers, would seem to be to leave it to the Canadians to choose the party they would be annexed to.

I am much obliged, and so is my nephew by your attention to his runaway, his overseer has been out these 10 days in pursuit of him and is not returned. He was certainly with the French army at Baltimore where I hope the overseer will reclaim him.

We have had some fine rains which have done much good, but were partial, and leave many parts of the State in distressful apprehensions of the want of bread.

EDM^d PENDLETON.

VIRGINIA, 2 September, 1782.

DEAR SIR,—I was disappointed in not receiving by your last favor of the 20th past some intelligence from our foreign ministers respecting the great object which at present occupies all our thoughts. Their silence at such a crisis cannot be supposed, and therefore we must charge it to the capture of the vessels by which their letters were forwarded. Some of our fat Tories say there is a suspension of hostilities in Europe, and I am told there are some Irish cutters arrived here with cargoes who repeat the same thing. If this be true I should suppose it to be in consequence of the signing of the preliminaries to peace. I wish the good work completed.

I wrote you my nephew had sent his overseer to Baltimore after his runaway slave. He concealed himself for two or three days, but made a friend amongst the attendants of the French army, who at length discovered the slave, and the overseer took him in an officer's tent who

had employed him as a servant. They attempted to rescue the fellow and threatened the overseer with sending him to the guard house, but as I had written to my friend Mr. Lux, requesting his assistance, he interposed and procured the release of the overseer, and delivery of the slave, not however till he agreed to pay 20 dollars for his maintenance, under pretence of an order of our governor and council, allowing them to demand of the owners of all the run away slaves a reasonable sum for their provisions. I never heard of such an order, but if there was such I am persuaded it related only to those taken from the British at the siege of York, and not to such as run away and join them in their march and are encouraged to do so by their secreting and protecting them from their masters. The overseer had lost his horse and went in pursuit of him, leaving the slave tied and handcuffed at Mr. Lux's, from whence he escaped and must have had some assistance. After two days' fruitless search he was obliged to return without him, having added to the loss of him that of a valuable horse, the 20 dollars, and other considerable expences. There are a number of other people here have lost their slaves in the same manner, and are in a very ill humor on the occasion. And as I am persuaded the principal officers in that army are no ways privy or consenting to such plundering, I have no doubt but that upon application they would all be delivered up, when they might be confined and on public notice the owners get them again. Otherwise, I expect that application will be made to our Assembly, and probably from them to Congress, which might lay the foundation of bickerings with our good friends, that would give me more concern than even the loss of my nephew's slave, tho' his circumstances do not make that a very light one, with the accumulated expences which have been consequent upon it. The overseer cannot tell, nor does Mr. Lux mention the name of the officer who extorted the 20 dollars, and had employed the slave as a servant, they only say he was a lieutenant. I wish I knew his name that you might point him out to the general. In the meantime it is possible the slave may have fallen into your hands, tho' he has practised every stratagem to conceal himself by denying his master's name, and changing his own, and his dialect: but the marks on his shoulders cannot be removed. If you have got, or shall get him, tho' I suppose a citizen of Pennsylvania can't purchase him by their laws, yet perhaps some transient persons, of whom there are many in the city may do so, as he is really stout and young, and until last year behaved very well, and my nephew will thank you to sell him for what you can get above £50, as he neither wishes to see him again, or to risque a further loss in his conveyance to Virginia. Our friend Mr. Jones is again returned to Philadelphia, and will I hope again relieve you from half the burthen of corresponding with, &c.

EDM^d PENDLETON.

VIRGINIA, 9 September, 1782.

DEAR SIR, — If the feelings of all my countrymen were as much wounded as mine are by your situation hinted at in your favor of the 27th past, you would soon be in one more agreeable to yourself and honorable to your country. I can say no more on the hated subject.

Since my last we have intelligence that my nephew's slave was recovered and confined in Baltimore gaol. A messenger is gone for him, who I hope will be more successful in getting him home than former ones were. I fear my last may have given you some unnecessary trouble as to him, though your interposition may have proved serviceable to others.

The embarkations for Canada from Charles Town and New York, lately announced in your papers, have opened a new train of conjecture, upon a probable intention of Gen'l Washington to march into that country, and many others which I won't trouble you with. In the meantime I can't help feeling compassion for the poor repenting refugees at New York, and wish they may experience as much lenity as is consistent with justice and the general good of the States. No doubt the inhabitants of Jersey must possess the keenest resentment for the loss of their near and dear relatives, and injury to their property, but as it is the common calamity of war, and the former will not admit of specific restitution or compensation, there is more magnanimity in forgiving it than in revenging upon persons now in our power, what perhaps they did not perpetrate. As to the latter, something by way of fine in the mode of South Carolina, so as to bear upon their property, might not be unreasonable. I am sorry to observe the Pennsylvania Assembly entering so early a caveat against the restitution of confiscated property. Influenced no doubt by the magnitude of the proprietary interest, and the estates of some fat dons, and perhaps their mercantile interest may not lead to peace at all. But great as the value of those estates may be, I am persuaded the continuance of the war for a short time, would in point of expence, and in the diminution of profit to be expected from a free and general trade, overbalance it, — I mean to the people in general. Some individuals perhaps owe their mushroom growth to the war, and must die with it. . . .

EDM^d PENDLETON.

VIRGINIA, 14 October, 1782.

DEAR SIR, — Tho' this is Mr. Jones' turn, yet as you wrote last instead of him, to preserve order in the correspondence it is necessary I should acknowledge your two favors of the 24th. past and 1st instant, the former did not miscarry as I supposed, but by some blunder in the Post Office made a trip to Petersburg and returned to me. You know I am a stickler for order, and my friend Mr. Jones must excuse me. I

should fear his illness prevented his writing, but as you don't mention it, I impute it to some other accident.

We are told the negotiations at Paris were still going on the latter end of July. Tergiversations conduct I should think, must alone be the cause of spinning it out to such length. The view in such delay can be only to await the events of the campaign and the anecdote respecting Mr. Grenville plainly enough designates the dilatory power. Truth could not be his motive in changing his position, since I have no doubt, if no unforeseen misfortune happens, but that the king will *agree* to our independence much sooner than be *disposed* to it. However their continuing the treaty gives reason to conclude that if no great change is produced on either side by this campaign, they will treat seriously at the close of it. For I think the nation as soon as the eclat of Rodney's victory shall have grown stale, will return to their demand for peace, which the king and his Premier will not be able to silence.

From a view of things compared with y^e last intelligence it seems to me that New York will be evacuated, that the 2000 Germans and 1200 British lately arrived at Halifax, with the 1500 who went there from New York, will be sent to Canada to strengthen the defence of that country, and the rest of the army go to the West Indies. But in this conjecture I may wholly mistake their system. I hope the ships to the eastward are secure from their attempts. Nothing can equal the generosity of our ally; which is as permanent as it is beneficial; one would suppose the late instance would inspire every American breast with the warmest gratitude, yet I am told that a letter lately written to this country by Dr. Lee, contains sentiments very different and makes much noise in the State, to his disadvantage not to that of the alliance. I wish the Indian incursions into our frontiers may be discontinued, but I agree with the sagacious sachem, that we have more to hope for from an opinion impressed on them of our power to hurt them, than from the tender mercies of the British king. I fancy there has been a smart rencounter with them in the Kentucky country, but the particulars are not ascertained.

It is said that the vessels from Ostend, mentioned in my last, belong to some smugglers on the British coast, but I don't know the certainty of it.

EDM^d PENDLETON.

TO JOSEPH JONES.

VIRGINIA, 21 October, 1782.

DEAR SIR, — I am to thank you for your favor of the 8th. The turn formerly in dispute between you and Mr. Madison was yours; his occupation of it, however, made none other difference than that it raised my fears of your having relapsed into your former illness, which Mr. Madison's silence in a great measure allayed.

The continuance of the negotiation after the last change of ministry, shews they do not care to lose sight of that object, and will probably be serious in it, at the close of this campaign, if nothing very fortunate for them should turn up in it. From Earl Shelburne's disposition or his masters, we have nothing to expect pacific to us; but I think their situation and the spirit of the nation will coerce the acknowledgment of American independence.

There is nothing material in the bill for peace or truce, since it only gives a (perhaps unnecessary) power to the king to make either without anything mandatory. Yet it's having lain so long with the Lords, and being passed just at the close of the session, together with the purging it of the offensive terms *revolted colonies*, gives it a conciliatory aspect. Whilst I am on the subject of peace, since in my last to Mr. Madison I mentioned that a letter of Dr Lee's abusive of the French alliance had made much noise here, justice to the Dr. requires that I should thus early declare I have since had a particular account of that letter, and find the clamor was without foundation, of which you'll please to inform Mr. Madison.

I find your opinion coincides with mine as to the designs of the enemy in strengthening Canada, and bending the residue of their force against the West Indies. I hope our allies are prepared there for such an event, so as to disappoint any extraordinary fruits of their plan, which the superiority of the combined fleets in Europe, tho at a distance [*cut*].

TO JAMES MADISON.

VIRGINIA, 28 October, 1782.

DEAR SIR, — I have your favor of the 15th. I think Genl. Carlton fairly acknowledges the independence of America to be given up, when he can no longer discern the object of the war, however, as they evade making it openly, these by-hints can have none other design than to endeavor to draw us into a separate treaty. As they know your resolution on that head, it is time for them to determine upon a general peace or war, and act accordingly. The end of this campaign will probably fix them.

If there be any truth in the French minister's intelligence from Boston, there can be none in a story we have piping hot from Philadelphia of an action between the combined fleets and Lord Howe in the channel, in which the latter and 12 capital ships became prize to the former, to which story however I give no manner of credit.

EDM^d PENDLETON.

RICHMOND, 8 November, 1782.

MY DEAR SIR, — Your favor of the 29th past gave me equal pleasure with one from our friend Mr. Jones in every other respect but that of the cause, his indisposition, which I feel sensibly as a friend and citizen, and hope it may soon be removed. The certain account we have of the evacuation of Charles Town, seems to have wiped away the impression intended to be made by Rivington's publication of a vigorous prosecution of the American war, being resolved on in the British Cabinet, and seems to carry things to their former state, indicating a direction of their force against our allies in the West Indies, or perhaps it may be meant to make a great naval effort in meeting the combin'd fleets in the neighborhood of Gibraltar. I wish they would be quiet, and let the negotiations go on, as Mr. Fitzherbert's commission will certainly include us, if they choose to make it so, (as I think they will if the campaign ends without material alteration in the state of affairs amongst the belligerents), though it is couched in such terms as may let them out of that interpretation if any unlucky event to us, should turn up in their favor.

I was particularly obliged by your observation which destroyed the credibility of the supposed letter from the Hague of the 17th of August, since the mercantile interest appeared to have seized that story with avidity as an additional circumstance, placing the prospect of peace as at a great distance.

Our legislature remain yet unformed, wanting three members of the Delegates to day to make a house, which 'tis thought will be completed to-morrow. Whether from their long, disagreeable, useless attendance, or from what other cause I know not, but they seem out of humor, and talk of impeachments of the executive, and of censures on Dr. L. The name of that gentleman constrains me once more to say that tho' I was misinformed as to the first account of his letter, yet I was equally or perhaps more so, in the account I mentioned to Mr. Jones, tho' I had it from a gentleman I thought I could depend on. Thus much I thought it my duty to say, lest you or Mr. Jones should entertain an opinion from my last letter unfavorable to my judgment or principles, and will give neither any more trouble on the subject.

The great constitutional question, as it was called in our papers, and which I explained in my last to Mr. Jones, was determined in the Court of Appeals by 6 judges against two, that the treason act was not at variance with the Constitution, but a proper exercise of the power reserved to the Legislature by the latter, of directing in what other cases based as that of impeachments by the House of Delegates, the executive should be restrained from pardoning, including in it the power of directing the mode of pardon in all such cases, provided such mode should necessarily involve the consent of the House of Delegates,

which it was thought preserved the spirit of the Constitution and was the best interpretation which the inaccurate words of the Constitution would admit of. Consequently it stands as the opinion of the judiciary that a traitor can't be pardoned but by the consent of both Houses of Assembly.

EDM^d PENDLETON.

Remarks were also made during the meeting by Messrs. GRENVILLE H. NORCROSS, EDMUND F. SLAFTER, and ARCHIBALD CARY COOLIDGE, who in the unavoidable absence of Mr. CHARLES GROSS, read a letter from him, giving a minute estimate of the historical work of M. Lavisse.